Unsettling Miss Chief and Buffalo Boy:
Interrupting Canada's Politics of Reconciliation

By

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ABSTRACT

This project explores how the interruptive elements of queer Indigenous art shows reconciliatory processes as founded on desires for a unified national political community. I draw out how these processes centre on a myth of a self-enclosed sovereignty that maintains settler colonial violence. I specifically examine how the artwork of Canadian Two-Spirit artists Adrian Stimson and Kent Monkman is critical of Indigenous-settler relations and in what ways their criticisms speak to current practices of reconciliation. I argue that their artwork are examples of how queer Indigenous art presents alternative images of being that destabilize the conceptualization of sovereignty underpinning Canada's framework of reconciliation. Such art interrupts by disrupting Canada's image as a benevolent state and by opening up a space to imagine what political, social, and legal relations might look like with alternative conceptions of sovereignty.

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INTRODUCTION

The recent publication *The Land We Are* brings together the work of Indigenous and settler artists and scholars that investigate the role of art in Canada's current era of reconciliation. Its contributors are part of the emerging discourse on "[...] the arts as an avenue through which reconciliation is promoted, contested, and reimagined".¹ Acknowledging reconciliation as contested terrain, many artists and scholars like Gabrielle L'Hirondelle Hill and Sophie McCall view the concept as a problematic narrative about Indigenous-settler relations. Moreover, they contend that too often is Canada's reconciliation oriented toward closure and unity. The arts, however, are viewed as a potential site where this framework of reconciliation can be challenged and critically re-evaluated. *The Land We Are* presents the arts as a space in which a counter-offer of conflict and disjuncture can be made in opposition to Canada's offer of reconciliation based on closure and unity.²

The focus on closure and unity is often linked to an understanding of reconciliatory gestures as being oriented towards achieving legal certainty for the provincial and federal governments of Canada.³ Hill and McCall extend this certainty to the simultaneous placating of social unrest and to the re-enforcement of Canada's image as a benevolent state interested in addressing Indigenous concerns.⁴ I similarly trouble Canada's benevolent image and argue that reconciliation based on closure and unity maintains settler colonial violence. Unlike Hill and McCall, I focus on queer

¹ Gabrielle L'Hirondelle Hill and Sophie McCall, "Introduction" in Gabrielle L'Hirondelle Hill and Sophie McCall eds, *The Land We Are: Writers and Artists Unsettle the Politics of Reconciliation* (Winnipeg: Arbeiter Ring Publishing, 2015) 2 at 2.

² *Ibid* at 3.

³ *Ibid* at 7. Hill and McCall are referencing Paulette Regan's discussion of certainty in relation to reconciliation. See Paulette Regan, "An Apology Feast in Hazelton: Indian Residential Schools, Reconciliation, and Making Space for Indigenous Legal Traditions" in Law Commission of Canada ed, *Indigenous Legal Traditions* (Vancouver: UBC Press, 2007) 40 at 48. Regan argues that the government vision of reconciliation seen in the tort-based alternative dispute resolution program was to achieve legal certainty by settling litigation claims and to provide programs of support for First Nations healing and commemoration. This hybrid model of reconciliation mixed tort law with what she describes as minor support for healing, not only for residential school survivors, but the damaged Indigenous-settler relationship as well.

⁴ Hill and McCall, *supra* note 1 at 8.

Indigenous art specifically and how it might open a space for critiquing the desirability of reconciliation based on closure and unity. Likewise, this project seeks to destabilize the certainty surrounding Canada's approach to reconciliation in creating a more just relationship between Indigenous and non-Indigenous communities. To destabilize certainty, I draw out how the interruptive qualities of queer Indigenous art illustrates the ways in which projects of reconciliation in Canada are underpinned by a return to unity and wholeness that inevitably disappears Indigeneity.

Destabilizing Projects of Reconciliation

Seeking to destabilize widespread certainty surrounding Canada's projects of reconciliation, I draw on the work of Eva Mackey. Mackey explores the challenges of decolonizing Indigenous-settler relations in Canada with respect to both law and social structures. She further explores how these challenges intersect with concepts and processes that produce certainty and uncertainty in regard to the nation's future stability.⁵ According to Mackey, reflecting on notions of certainty and uncertainty are necessary to understanding settler law and its relationship to what Mark Rifkin refers to as 'settler structures of feelings'.⁶ Using Rifkin's concept, Mackey argues

that if settler jurisprudence and settler 'structures of feeling' pivot on axiomatic assumptions about settler entitlement and certainty in land, property, and settler futures, and on materializing "settled expectations", then decolonization, for settlers and for settler law, may entail embracing particular forms of (likely uncomfortable) uncertainty in order to imagine and practice relationships and power in new and creative ways.⁷

⁵ Eva Mackey, "Unsettling Expectations: (Un)certainly, Settler States of Feeling, Law, and Decolonization" (2014) 29:2 *Can JL & Society*, August 2014 235 at 236.

⁶ Mark Rifkin, "Settler States of Feeling: National Belonging and the Erasure of Native American Presence" in Caroline F. Levander and Robert S. Levine eds, *A Companion to American Literary Studies* (New Jersey: Wiley-Blackwell, 2011). Rifkin's concept of "settler structures of feeling" stems from Raymond Williams's concept of "structures of feeling" initially presented in his 1954 book *A Preface to Film*.

⁷ Mackey, *supra* note 5 at 237.

Rifkin's structures of feelings has a dual reference. Firstly, it refers to the presence of Indigenous sociopolitical formations that are not recognizable within settler institutions. Second, it refers to the impact on Indigenous individuals living with the dismissal of those sociopolitical formations.⁸ On a whole, settler structures of feeling involves questions of how emotions and sensibilities take part in the continuing processes of exerting settler authority over Indigenous peoples. Settler structures of feeling, however, also exert authority over non-Indigenous peoples as well since they determine attitudes and modes of conduct in Indigenous-settler relations on a whole. Mackey's use of settler structures of feeling refers to how settler certainty is dependent on the dismissal of Indigenous sociopolitical formations and how this dismissal enables a structure of control and authority. In short, decolonization for settlers and for settler law requires making uncertain settler futures by destabilizing notions of certainty in relation to settler entitlement and settler relations with Indigenous communities.

Using Mackey as a point of departure, I suggest Canada's reconciliatory gestures are less about substantially creating new Indigenous-settler relations than about (re)cultivating certainty in Canada's future, both in settler law and settler sovereignty. In large part this stems from Canada's reconciliatory approaches being too focused on closure and unity, thus depicting reconciliation as a goal and not a process.⁹ Andrew Woolford makes a similar argument contending that Canada's reconciliatory gestures offered to Indigenous communities appear to be little concerned with the issues of ongoing relationship building within Indigenous-settler relations. He suggests that to treat reconciliation as an ongoing process or living relationship is too problematic in the legal contexts of

⁸ Mark Rifkin, *Erotics of Sovereignty: Queer Native Writing in the Era of Self-Determination* (Minneapolis: University of Minnesota Press) at 3. I want to note here that sociopolitical is the term used specifically by Rifkin. These sociopolitical formations include emotions and sensations that are categorized by the state as private and therefore warrant being dismissed.

⁹ Yule Schmidt, "So Much Litigation, So Little Reconciliation", online: (2014) C2C Journal <<http://www.c2cjournal.ca/2014/09/so-much-litigation-so-little-reconciliation/>>.

modern societies.¹⁰ This is because such legal contexts respond to injustice through the limiting lenses of codified rules and regulations.¹¹ Consequently, what can be referred to as certainty-making modes of reconciliation fall short in transforming society; instead they are symbolic and material reparations aimed toward maintaining the prevailing social order.¹² One example of a certainty-making reconciliatory approach is the use of monetary compensation received through the Indian Residential School Settlement Agreement. Monetary compensation ensures certainty as it codifies and quantifies pain experienced through the abuse and violence of the residential school system. As such, I suggest, compensation can be regarded as working closure and affirming Canada's settler certainty in its system insofar as it both symbolically shows recognition of residential school violence, but also places a cap on who can claim monetary reparations, and for what. In the section below I will further draw out the history of Canada's approaches to reconciliation, identifying the considerable criticism each has faced. Here however, I want to use the example of the Truth and Reconciliation Commission (TRC) to further emphasize its role in maintaining Canada's settler certainty.

Established as one of the outcomes of the Settlement Agreement, the TRC is a 'quasi' legal remedy to the residential school legacy and its lasting impact. As an out-of-court process oriented towards information gathering, testimony, and public education, the TRC maintains some legal elements and rejects others.¹³ It is prohibited "from holding formal hearings, acting as a public inquiry, or conducting any kind of legal process".¹⁴ The "quasi" legal nature of the TRC is especially worth

¹⁰ Andrew Woolford, "The limits of justice: certainty, affirmative repair, and aboriginality" (2004) 3:4 *Journal of Human Rights* 429 at 430-431.

¹¹ *Ibid* at 431.

¹² *Ibid* at 432.

¹³ Ronald Niezen, *Truth and Indignation: Canada's Truth and Reconciliation Commission of Indian Residential Schools*. (Toronto: University of Toronto Press, 2013) at 4-5

¹⁴ Ronald Niezen, "The Limits of Truth Telling: Victim-Centrism in Canada's Truth and Reconciliation Commission on Indian Residential Schools #TransitionalJustice", (27 January 2015) Allegra Lab (blog), online: <<http://allegralaboratory.net/the-limits-of-truth-telling-victim-centrism-in-canadas-truth-and-reconciliation-commission-on-indian-residential-schools-transitionaljustice/>>.

considering in light of its establishment within the somewhat stable, liberal-democratic polity of Canada. That is, it is one of first to be created within the

[...] sphere of those civil societies which imagine themselves to be innocent of the types of human rights abuses that would necessitate investigative commissions often associated with problems such as genocide, apartheid, and dictatorships.¹⁵

Considered a longstanding liberal democracy, Canada is recognized as a nation of inclusion and as having the necessary laws and political structures that mark it as a defender of human rights.¹⁶ The self-identification as a sovereign state that protects human rights, I argue, explains why the TRC is oriented toward testimony, education and healing, and is prohibited from any legal process. Taking this shape, national reconciliation becomes a symbolic or performative movement that enables the maintenance of the Canadian identity as unified and inclusive. Consequently, settler certainty persists as any reckoning with overarching and ongoing structures of colonialism is avoided since maintaining the prevailing social order is its goal.¹⁷ The maintenance of an identity of unity and inclusion is crucial in relation to settler certainty surrounding sovereignty as it allows colonialist political and legal institutions to continue despite calls for fundamental change.

Mackey's advocacy for uncertainty as necessary to decolonization echoes similar critical thinking found in queer Indigenous studies. Queer Indigenous studies draws an alliance between Native studies and queer theory recognizing the limits and possibilities of the two. Furthermore, queer

¹⁵ Jennifer Henderson and Pauline Wakeham "Colonial Reckoning, National Reconciliation?: Aboriginal Peoples and the Culture of Redress in Canada" (2009) 35:1 *ESC* 1 at 12. R.L. Nagy highlights a similar point noting how the use of truth commissions in a stable democracy is at odds with transitional justice orthodoxy. See R. L. Nagy, "The Scope and Bounds of Transitional Justice and the Canadian Truth and Reconciliation Commission" (2012) 7 *International Journal of Transitional Justice* 52 at 2. See also Glen Sean Coulthard, "Red Skin, *White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014) at 106.

¹⁶ Paulette Regan, *Unsettling the Settler Within: Indian Residential Schools, Truth Telling and Reconciliation in Canada* (Toronto: UBC Press, 2010). Regan specifically touches on Canada's identity as a protector of human rights and as a benevolent peace-keeping state in her chapter entitled "Deconstructing Canada's Peacemaker Myth". See also Jennifer Henderson and Pauline Wakeham, "Introduction" in Jennifer Henderson and Pauline Wakeham eds, *Reconciling Canada: Critical Perspectives on the Culture of Redress* (Toronto: University of Toronto Press, 2013) at 7.

¹⁷ Henderson and Wakeham, "Introduction", *supra* note 16 at 13.

Indigenous studies recognizes the role patriarchy and heteronormativity play in settler colonialism, and thus

...point out the material and political conditions that Native [Gay, Lesbian, Bisexual, Queer, Transgendered and Two-Spirit] people experience under colonization, including colonization's accompanying systems of heteropatriarchy, gender regimes, capitalism, ableism, ageism, and religious oppression [and] offer[s] a mode of analysis that more complexly facilitates an understanding of these entwined systems so that they can be interrupted.¹⁸

Like queer theory, queer Indigenous studies does not take on the identity-based politics of typical LGBT movements. Rather, "[queer] indigeneity challenges the very idea of civil rights and exclusionary complaints that ground mainstream [LGBT] movements [...] [and] [goes] after colonial nation-states [...] seeking to imagine other queer possibilities for emancipation and freedom for all peoples".¹⁹ The orientation towards the colonial nation-state distinguishes queer Indigenous studies from standard queer theory (queer people of colour critiques included), marking the importance of unsettling settler colonialism carried over from Indigenous studies. While many queer theorists theorize beyond the nation-state, contributors to queer Indigenous scholarship like Andrea Smith find that settler colonialism is nevertheless under-theorized within queer studies.²⁰ Not only is it under-theorized, Smith argues that despite advocating for a new worldview, queer theory still adheres to the givenness of the nation-state and particular forms of nationhood and governance.²¹ Remaining

¹⁸ Qwo-Li Driskill et. al. "The Revolution is for Everyone: Imagining an Emancipatory Future through Queer Indigenous Critical Theories" in Qwo-Li Driskill, Chris Finely et al. eds, *Queer Indigenous Studies: Critical Interventions in Theory, Politics, and Literature* (Arizona: University of Arizona Press, 2011) 211 at 211.

¹⁹ *Ibid* at 213.

²⁰ Andrea Smith, "Queer Theory and Native Studies: The Heteronormativity of Settler Colonialism" in Qwo-Li Driskill et. al. eds *Queer Indigenous studies: Critical Interventions in Theory, Politics, and Literature*, (Arizona: University of Arizona Press, 2011) 43 at 56. Andrea Smith attributes the presence of thinking beyond the nation-state in queer theory to queer theorists such as Jasbir Puar, Gayatri Gopinath, José Esteban Muñoz, and Lauren Berlant.

²¹ *Ibid* at 56. Referring to an acceptance of the givenness of the state, Smith contends that queer studies has done little to consider the possibility of alternative forms of nationalism that are not structured by nation-states. Smith offers a quote by Lauren Berlant who despite showing some desire to think beyond the nation-state writes "It must be emphasized [...] that disidentification with US nationality is not [...] even a theoretical option for queer citizens [...] We are compelled, then, to read, America's lips". Smith here is drawing from Lauren Berlant, *Queen of America Goes to Washington* (Durham: Duke University Press, 1997) at 150.

skeptical, Smith highlights how significant to the field of queer Indigenous studies is a destabilization of this givenness and thus a destabilization of settler certainty.

While destabilization of the nation-state is undoubtedly a main goal within queer Indigenous studies, it is largely connected to a destabilization of identity. This destabilization of identity corresponds with queer Indigenous studies remaining critical of identity-based politics, as it “[...] [troubles] the idea that we can count on identity to be stable, to give us our politics, or to be above critical analysis”.²² It is the lack of focus on singular identity politics that allows for queer Indigenous studies to intersect with many different ideas, peoples, and political ideologies. Taking this into consideration, queer Indigenous scholars acknowledge and promote the multiplicity of vision and possibilities within queer Indigenous critique that stem from an instability in identity.

Recognizing the importance of multiplicity within Indigenous critique, this project not only draws on the work of Andrea Smith, but also on the work of Mark Rifkin. Rifkin’s work highlights queer Indigenous “[...] efforts that trace the contours of contemporary peoplehood that remain unaddressed in and even constitutively excluded from the field of [...] politics”.²³ As mentioned earlier, Rifkin’s work centres on structures of feeling that in the Indigenous context “refer to sensations of belonging to place and peoplehood excluded from settler governance but that remain present, most viscerally in the affective lives of Native people”.²⁴ This project focuses on the sensations of belonging to peoplehood excluded from settler governance as it can engender a destabilization of sovereign identity both at the individual and the societal level. This is because for Rifkin, sensations of belonging to peoplehood presents an alternative vision of sovereignty that does not adhere to the construction and operation of bureaucratic apparatuses, but is centred on the

²² Driskill et. al., “The Revolution”, *supra* note 18 at 214.

²³ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 2.

²⁴ *Ibid* at 3.

changing effects of lived relations through which collectivity is (re)constituted in everyday ways.²⁵ For Rifkin, drawing out the significance of collectivity and peoplehood not only expands the possibility of meanings of Indigeneity but of the autonomous individual in general in a manner that goes beyond settler literalizations of the sovereign subject.²⁶

Rifkin places great emphasis on the creative arts, specifically on the works of queer Native literature. In conceiving this work as forms of political theory, Rifkin attends to how these creative works index and create the space for imagining forms of individual and collective being denied recognition as Indigenous or as peoplehood within settler institutions.²⁷ Furthermore, for Rifkin creative works account for modes of Indigeneity not counted as real within structures and practices consistent with settler policy by pointing to a relationship between unrecognized presence and possibilities that do not have a place within existing institutional discourses.²⁸ For instance, many of the writers Rifkin addresses show Indigeneity as being founded on connections to peoples and how as such it has consistently been excluded by settler conceptualizations of Indigeneity and structures of feeling. By addressing the effects of such an exclusion, the authors discussed by Rifkin further mark as Indigenous the (re)emergence and realization of relations to peoplehood that are often depicted as lost within settler discourses.²⁹

²⁵ *Ibid* at 4.

²⁶ *Ibid* at 17. Settler literalizations refers to process of realization that determine the ways in which concepts like sovereignty, identity and authenticity become real or self-evident through the codes, rules and laws of settler institutions. These literalizations are internalized by the Indigenous communities and become a part of their collective processes and experiences. Rifkin's use of the term is based on its similar use in Eric Cheyfitz, *The Poetics of Imperialism: Translation and Colonization from "The Tempest" to "Tarzan"* (Philadelphia: University of Pennsylvania Press, 1997).

²⁷ *Ibid* at 2 and 14.

²⁸ *Ibid* at 21. Rifkin's emphasis on the arts is not anomalous within queer Indigenous studies as many other scholars do the same. Qwo-Li Driskill for instance highlights how Two-Spirit/ queer critiques are rooted in and informed by the arts. Moreover, Rifkin approaches queer Indigenous writing similarly to Driskill who contends that Indigenous Two-Spirit/ queer critiques see theory as being practiced through song, dance, theatre, visual art, film and other genres of art in addition to literary practices. See Qwo-Li Driskill, "Doubleweaving Two-Spirit Critiques: Building Alliances between Native and Queer Studies" (2010) 16:1-2 GLQ: A Journal of Lesbian and Gay Studies 69 at 82. Additionally, the arts are emphasized in non-queer Indigenous scholarship like that of Gerald Vizenor.

²⁹ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 24-25.

Building on Rifkin's take on queer Indigenous literature in envisioning individual and collective being, I argue that queer Indigenous studies can find further alliance in the political philosophy on community.³⁰ Specifically, I draw on the work of French philosopher Jean-Luc Nancy and its contestation of the myth of community. Nancy's myth of community refers to the circulation of narratives of identity through which a community's self-grounding and self-communication occurs. As such, the myth is not determined by the individual or community, rather it is through the myth that the community is invented.³¹ In other words, the mythic community is the unique fiction that gathers individuals under a unifying shared common identity. For Nancy, literature and writing interrupts the myth of community revealing its disjunctive or hidden nature.³² The myth of community is interrupted insofar as these practices exposes being as *being-in-common*. That is, writing exposes the singular plurality that makes for a being that *is* only when shared through mutual exposition with another being.³³ In other words, "literature [...] has as being [...] the common exposure of singular beings".³⁴ As such, Ian James argues that, for Nancy, literature and the wider creative arts are practices of ontological disclosure that affirm community as the singular plurality of beings, rather than as shared essence or identity.³⁵ In this sense, identity is not a fixed given, but rather is incomplete in its continual exposition to an other.³⁶ It is not a thing to be achieved, but is already always in motion. Taking into account how the arts interrupt community by revealing the ontological truth of being, I argue that parallels occur between Nancy's thinking and those found within queer Indigenous studies. This

³⁰ Rifkin uses the term Native to refer to the creative writings he addresses. I am more comfortable with the term Indigenous and will use it throughout the project.

³¹ Jean-Luc Nancy, *The Inoperative Community*, translated by Peter Connor et. al. (Minneapolis: University of Minnesota Press, 1991) at 59.

³² *Ibid* at 57.

³³ *Ibid* at 64.

³⁴ *Ibid* at 66.

³⁵ Ian James, *The Fragmentary Demand: An Introduction to the Philosophy of Jean-Luc Nancy* (Stanford: Stanford University Press: 2006) at 200.

³⁶ Nancy, *The Inoperative Community*, *supra* note 31 at 66.

parallel becomes all the more strong when we follow Rifkin's assertion that queer Indigenous writing makes ontological claims about Indigenous being as they acknowledge networks of impression and therefore do not put forward an unchanging essence of Indigeneity, nor do they put forth a merger of the individual into collectivity.³⁷ In this regard, together Nancy and Rifkin present the arts as that which offers a conception of being that does not fuse one subject with another. In doing so, they both interrupt the myth of the self-enclosed autonomous subject thus destabilizing settler understandings of sovereignty.

History of the Truth and Reconciliation Commission of Canada

The Truth and Reconciliation Commission of Canada is one element of a multi-pronged approach to reconciliation and the movement toward a culture of redress. It follows a series of quasi-judicial and political approaches offered in response to the number of survivors who brought lawsuits against their abusers as well as the Canadian government and churches that operated the residential schools. These lawsuits began as early as the 1980s and increased in number throughout the early 1990s. While these lawsuits marked individual movements towards reconciliation, it was not until the 1996 report from the Royal Commission on Aboriginal Peoples (RCAP) that reconciliation was brought to the national public.³⁸ RCAP formed in 1991 and its 1996 report was not put forward solely as a response to reconciliation. The Commissioners define its purpose as being in response to many things occurring around that time including debates about the place of Aboriginal people in the constitution, the blockading of roads and rails in Ontario and British Columbia, and the Oka crisis,

³⁷ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 35-36. Networks of impression is a phrase used by Rifkin that refers to implicit and explicit forms of force exerted on Indigenous peoples and influence Indigenous structures of feeling that determine Indigenous identity. Rifkin, however, does not specifically label networks of impression as a negative thing, but rather as a positive principle of peoplehood.

³⁸ Canada, Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Canada: Library and Archives Cataloguing in Publication, 2015) at 7.

which occurred one year earlier.³⁹ On a whole, RCAP's final report presented a more expansive approach to reconciliation advocating not only for an acknowledgement of the residential school legacy, but also of sustained overarching settler colonial violence. Accordingly, the 1996 report focused on concerns surrounding government policy and attitudes with respect to Indigenous communities including those of Inuit, Métis and First Nations.⁴⁰ Nevertheless, RCAP's report did have a focus on the effects of the residential school legacy, and echoed Chief Phil Fontaine's call for the initiation of a public inquiry into the state and church run Indian Residential School (IRS) system, its history and administration.⁴¹

The IRS system developed out of colonial government policies meant to target what was considered the 'Indian Problem'. RCAP's final report maintained that these same policies were still at work in contemporary relations. For this reason, the report largely responded to "lingering and intergenerational effects of residential schooling" on survivors, their families and Indigenous communities.⁴² Seven years after RCAP's start, Jane Stewart, the then Minister of Indian Affairs and Northern Development, delivered a "Statement of Reconciliation" in 1998.⁴³ Along with it came the report *Gathering Strength: Canada's Aboriginal Action Plan* which also sparked the initiation of the *Aboriginal Healing Foundation*.⁴⁴ These initiatives were then followed by the 2002 development of

³⁹ Canada, Royal Commission on Aboriginal Peoples, *Highlights from the Royal Commission Report on Aboriginal Peoples*, (Ottawa: Canada Communication Group – Publishing, 1996), online: Aboriginal Affairs and Northern Development Canada <<http://www.aadnc-aandc.gc.ca/eng/1100100014597/1100100014637#chp2>>.

⁴⁰ Canada, Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples*, (Ottawa: Canada Communication Group – Publishing, 1996), online: Aboriginal Affairs and Northern Development Canada <<http://www.aadnc-aandc.gc.ca/eng/1307458586498/1307458751962>>.

⁴¹ Robyn Green, "Unsettling Cures: Exploring the Limits of the Indian Residential School Settlement Agreement" (2012) 27:1 Can JL & Society 129 at 133.

⁴² *Ibid* at 134. For more information on how RCAP's final report addressed impacts of the IRS system visit the Aboriginal Affairs and Northern Development Canada website. See Royal Commission on Aboriginal Peoples, *Highlights*, *supra* note 39.

⁴³ In 2011, Indian Affairs and Northern Development changed its name to Aboriginal Affairs and Northern Development under Stephen Harper's government.

⁴⁴ Green, *supra* note 41 at 134.

the National Resolution Framework which introduced the alternative dispute-resolution (ADR) mechanism and the IRS Mental Health Support Program.

The ADR was one of the first mechanisms put forward to address the issues individual survivors had with standard civil litigation processes. It was a tort-based program intended to be a less adversarial space to that of litigation in responding to the impacts of residential schools.⁴⁵ It was a voluntary process determined to “resolve matters in processes designed with full and equal survivor participation, and designed to promote better long term out-comes for those involved, and Canada as a whole”.⁴⁶ Additionally, the ADR was viewed as the best way to resolve residential school claims outside of the courtroom as claims were seen to represent a legal and financial risk for the government and survivors.⁴⁷

Though it was designed to offset the financial risk and be less adversarial, the ADR was considered to be flawed, as it re-created ‘quasi’ juridical spaces that were thought to be antagonistic toward survivors and was considered to produce skepticism towards claims of abuse.⁴⁸ Individuals viewed its lengthy application process as radically dehumanizing. In addition, the compensation offered for physical and sexual abuse was viewed as lacking and unfairly unequal between claimants.⁴⁹ Furthermore, the ADR was said to be incapable of recognizing broader harms such as

⁴⁵ Regan, “An Apology Feast”, *supra* note 3 at 47-48.

⁴⁶ Canada, *Reconciliation and Healing: Alternative Resolution Strategies for Dealing with Residential School Claims*. (Ottawa: Indian Affairs and Northern Development, 2000). < http://www.glennsigurdson.com/wp-content/uploads/2010/09/Reconciliation_healing.pdf>.

⁴⁷ Regan, “Unsettling the Settler”, *supra* note 16 at 121. See Regan for more on the genesis of the ADR, its ideological underpinnings and further criticisms.

⁴⁸ Regan, “An Apology Feast”, *supra* note 3 at 47.

⁴⁹ Green, *supra* note 41 at 134. See also Assembly of First Nations, *Report on Canada’s Dispute Resolution Plan to Compensate for Abuses in Indian Residential Schools* (Ottawa: Assembly of First Nations, 2006), online: <http://epub.sub.uni-hamburg.de/epub/volltexte/2009/2889/pdf/Indian_Residential_Schools_Report.pdf>; Standing Committee on Aboriginal Peoples of Northern Development, *Study on the Effectiveness of the Government Alternative Dispute Resolution Process for the Resolution of Indian Residential School Claims* (Ottawa: House of Commons Standing Committee on Aboriginal Peoples, 2005), online: <<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1707109#TopOfPage>>.

emotional loss, loss of language and culture, and loss of family.⁵⁰ Overall, the ADR was regarded as unilaterally designed by non-Indigenous people since consultation with First Nations was viewed as inadequate.⁵¹ As an alternative to the overwhelming litigation process, but still maintaining a Eurocentric tort-based like approach, the ADR is a certainty-making approach to reconciliation. It was to settle legal claims in a process that posed less of a financial risk in a manner that still adhered to non-Indigenous legal and juridical principles. It therefore can be seen as attempting to maintain trust in the legitimacy of Canada's legal and juridical processes.

The Indian Residential School Settlement Agreement, established in May 2006, was also meant to address the overwhelming number of cases brought against the government and churches.⁵² The Settlement Agreement was negotiated by numerous parties including the federal government, churches, the AFN, the Inuit Tapriit Kanatami, independent counsel, and residential school survivors. It was to administer the provision of symbolic and material reparations to former students and was intended to address the colonial legacy in addition to the flawed previous attempts at reparations.⁵³ Under the terms of the Settlement Agreement, not only were the numerous legal claims made against the government and churches settled, but calls to address harms beyond physical and sexual abuse were responded to. On a whole the Settlement Agreement can be viewed as an expansive mechanism designed to address all aspects of reconciliation.

The Settlement Agreement consists of five main components. The first is the Common Experience Payment (CEP) which recognizes the experience and damaging impact of residing at a

⁵⁰ Nagy, *supra* note 15 at 7. Paulette Regan also addressed how critics argued that the broad systemic injustice and violence created by the IRS system required a deeper moral response from Canadian society than the ADR program could deliver. She also discusses how overall the ADR was viewed as being an inadequate and harmful response not only to residential schools survivors, their families, and communities but to all Indigenous people in Canada. For a more in depth analysis of the ADR see AFN, *Report on Canada's Dispute Resolution*.

⁵¹ Regan, "An Apology Feast", *supra* note 3 at 47.

⁵² Canada, *Indian Residential School Settlement Agreement*, May 2006, online: <<http://www.residentialschoolsettlement.ca/IRS%20Settlement%20Agreement-%20ENGLISH.pdf>>.

⁵³ Green, *supra* note 41 at 134.

residential school. The CEP provides a lump sum payment to former students of residential schools where the government was either jointly or solely responsible for the running of such institutions.⁵⁴ The second component is the Individual Assessment Process (IAP), a non-adversarial, claimant-centred out-of-court process for the resolution of claims of sexual abuse, physical abuse and other wrongful acts individuals were subjected to during their time at a residential school. The IAP is the only way a survivor may pursue a claim of sexual or serious physical abuse committed by either an adult employee or by another student. Compensation is determined by a point-based scale and is paid at 100% by the Canadian Government.⁵⁵ The third and fourth component was funding in support of the Aboriginal Healing Foundation and for initiatives of commemoration.

The fifth component was the establishment of the Truth and Reconciliation Commission of Canada (TRC). The TRC was “established to contribute to truth, healing and reconciliation, and in recognition of an emerging and compelling desire to put the events of the past behind us so that we can work towards a stronger and healthier future”.⁵⁶ The TRC was also considered to address the shortcomings of the CEP and IAP, which despite their efforts faced similar critiques to that of the ADR process. Many scholars, activists, survivors, victims, and their families felt that the compensatory framework put forward by the government was not well equipped to acknowledge the intergenerational effects of the residential school system.⁵⁷ Additionally, many individuals and

⁵⁴ Aboriginal Healing Foundation (AHF), *The Indian Residential School Settlement Agreement's Common Experiences Process and Healing: A Qualitative Studies on the Impacts on Recipients*. (Ottawa: Assembly of First Nations, 2010). See also *The Indian Residential School Settlement Agreement*. Through the CEP the government offered monetary compensation for time spent in the Indian Residential School system. Former students of residential schools were paid \$10,000 for the first year plus \$3,000 for each additional year.

⁵⁵ You can find more detailed information on the CEP and IAP processes at <<http://www.servicecanada.gc.ca/eng/goc/cep/>> and <<http://www.aadnc-aandc.gc.ca/eng/1100100015576/1100100015577>>. For more on the point-based scale used in the IAP see Canada, *Indian Residential School Settlement Agreement, Schedule "D" Independent Assessment Process (IAP) For Continuing Indian Residential School Abuse Claims*, May 2006, online: <http://www.residentialschoolsettlement.ca/Schedule_D-IAP.PDF>.

⁵⁶ Canada, *Indian Residential School Settlement Agreement, Schedule "N" Mandate for the Truth and Reconciliation Commission*. Online: <http://www.trc.ca/websites/trcinstitution/File/pdfs/SCHEDULE_N_EN.pdf>.

⁵⁷ Henderson and Wakeham, “Colonial Reckoning”, *supra* note 15 at 11.

families felt that the CEP and IAP process had limitations that narrowed the scope of who could apply and hindered the potential for a successful application. These processes of compensation were ultimately viewed as exclusionary not only of the families who experience the intergenerational effects, but also of individuals who survived the IRS system but whose attendance goes undocumented.⁵⁸

Accounting for the ways in which the CEP and IAP were narrow in scope, the TRC was developed out of the recognized deficiencies of the legal mechanisms and monetary remedies chosen to address the violence of Canada's residential school legacy. Accordingly, "the TRC was designed to engage residential schools in a more contextualized manner than the previous ADR and the planned individualized compensation process".⁵⁹ More importantly, the TRC was and is still regarded as promoting individual and collective healing through testimony and public education on the past in addition to larger systemic and collective issues.⁶⁰ The goal of individual and collective healing for the sake of a stronger and healthier future, was furthermore stressed by Stephen Harper's 2008 statement of apology which emphasized the government joining Indigenous communities on the journey to recovery and moving toward healing and reconciliation. In the final moments of the apology, Harper highlights the TRC as the cornerstone of the Settlement Agreement and furthermore stresses how as a forum for public education, it is a "positive step in forging a new relationship between Aboriginal peoples and other Canadians".⁶¹

⁵⁸ Green, *supra* note 41 at 139. For more on the criticisms of the CEP and IAP see Aboriginal Healing Foundation (AHF), *The Indian Residential School Settlement Agreement's Common Experiences Process*, *supra* note 54. See also, Konstantin Petoukhov, "Recognition, Redistribution, and Representation: Assessing the Transformative Potential of Reparations for the Indian Residential Schools Experience" (2013) 3, *MSR* 73, online: <<https://www.mcgill.ca/msr/volume3/article5>>.

⁵⁹ Nagy, *supra* note 15 at 7.

⁶⁰ *Ibid.* See also *Indian Residential School Settlement Agreement, Schedule "N" Mandate for the Truth and Reconciliation Commission*, *supra* note 56.

⁶¹ Canada, House of Commons, *House of Commons Debates*, 39th Parl, 2nd Sess, Vol 142, No 110 (11 June 2008) at 1515 (Hon Stephen Harper). Online: <<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=3568890>>.

The intention of this project is not to discredit the significance of these approaches. The TRC was a response to calls for reconciliation made by survivors, their families and the extended Indigenous community, and many people tirelessly fought for it. I, however, am adamant that the struggle for justice continues as Indigenous-settler relations move forward. This is because current reconciliatory gestures continually present a narrow vision of justice that centres on the self-enclosed autonomous subject. Ultimately, my thinking aligns with those who criticize Canada's reconciliatory framework for being too focused on closure and unity. Critics of this approach to reconciliation maintain that the problem with Indigenous-settler relations does not pertain to feelings of inadequate closure, but rather to the repeated attempts to reach closure. Moreover, the modes through which closure is sought out work in a manner that favours restoring faith in Canadian legal, juridical, and political processes. As a consequence, they fail to effect fundamental change in Indigenous-settler relations.⁶² The government's failure to address the limitations of these approaches can be interpreted as attempts to assert the legitimacy of Canadian institutions, thus further affirming certainty surrounding settler sovereignty in relation to Indigenous communities.⁶³ Although state practices of reconciliation have their limitations, it is unrealistic to replace them with the arts. Instead, state projects of reconciliation can and should be supplemented with practices of queer Indigenous art. These artistic practices can address the limits of current state reconciliatory gestures through their disruptive elements and therefore can be positioned as an integral part to reconciliation.

Uncertainty through Artistic Interruption: Adrian Stimson and Kent Monkman

Motivated by both Rifkin and Nancy's thinking on the significance of art in exposing the ontological truth of being-in-common, I examine the work of Two-Spirited Indigenous artists Adrian

⁶² Henderson and Wakeham, "Colonial Reckoning", *supra* note 15 at 7.

⁶³ Deena Rymhs "Appropriating Guilt: Reconciliation in an Aboriginal Context," (2006) 32:1, ESC 105 at 115.

Stimson and Kent Monkman in the context of Canada's approach to reconciliation. In particular, I am interested in how the installation and performance pieces of each artist expose the desired return to wholeness and unity that underpins Canada's reconciliatory gestures and how art might open a space to critique the inclination towards this framework of reconciliation. I suggest that queer Indigenous art interrupts politics of reconciliation that find their basis in a desire for wholeness and furthermore destabilize conceptions of a self-enclosed autonomous sovereign. This interruption occurs through the use of Indigenous voice in retelling the narratives that speak to Indigenous-settler relations and to the significance of relationality.

The decision to focus on installation and performance pieces is based on two things. The first pertains to how these mediums present "[...] opportunities to see and hear what has become familiar differently".⁶⁴ By this I mean that these modes of expression move beyond the limitations of addressing reconciliation through settler colonial language and structures.⁶⁵ These alternative modes of expression further signifies the importance of Indigenous voice in discourses on reconciliation, as they mark a reclaiming of the power to speak of Indigenous experiences from the state.⁶⁶ The second reason I examine these mediums is because of how they create sites in which the spectator is engaged and becomes a performer within the piece. Both installation and performance art offer an immersive experience that rests not solely on the visual, but on the auditory and physical engagement with a space as well. In this sense, the meaning of a piece is never fixed,

⁶⁴ Lynne Bell, "Buffalo Boy testifies: decolonising visual testimony in a colonial-settler society". (2009) 15:3 Humanities Research 81 at 83-84.

⁶⁵ Kerry Swanson, "The Noble Savage was a Drag Queen: Hybridity in Kent Monkman's Performance and Visual Art Interventions" in Maureen Fitzgerald and Scott Rayer eds, *Queerly Canadian: An Introductory Reader in Sexuality Studies* (Toronto: Canadian Scholar's Press Inc., 2012) 565 at 568.

⁶⁶ Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders Settler States* (London: Duke University Press, 2014). Emphasizing the importance of Indigenous voice when speaking of Indigenous experiences, I am drawing on Simpson's argument that Indigenous voice interrupts state representations of Indigeneity. The link between artistic practices and Simpson's argument will be further fleshed out in the next section.

as it is continuously determined by spectators who 'perform' the work.⁶⁷ Contingent on how the viewer engages with the multi-sensory environment of the art, the 'performance' of each piece interrupt the ability to experience the art in a unidirectional way. Having said this, the connections I make between the art I examine and reconciliation is not done in order to offer a solution. Rather, the critical discussion I offer in response to each piece is my performance as an engaged spectator.⁶⁸ That said, I want to stress that though I discuss both Stimson and Monkman, I am not in a position to qualify one artist's work over another. Nor do I think it is appropriate to do so. However, I do maintain that in bringing the two artists together, the potential of queer Indigenous art to interrupt politics of reconciliation is demonstrated.

I first examine the artistic work of Adrian Stimson whose work directly engages with the topic of reconciliation. I examine the pieces *Sick and Tired* and *Buffalo Boy's Confessional: Indulgence* and explore the potential critiques they offer about existing approaches to reconciliation in Canada. I argue that Stimson's art makes visible a narrative that has been under-represented. This narrative illustrates how elements of Canada's reconciliatory approaches are violent insofar as they demand the broken Indigenous subject be re-united with the Canadian settler society. Stimson turns this narrative on its head by destabilizing notions of healing that rely on a return to a whole subject. Additionally, Stimson's art exposes Canada as projecting a myth of community that works a unified and self-enclosed identity. Though Stimson's art is successful in this respect, it falls short insofar as it does not show how the working of a unified identity is linked to past representations of Canada's social community. Making the link is significant to interrupting the working of the mythic community

⁶⁷ Josée Drouin-Brisebois, "Close Encounters" in Josée Drouin-Brisebois ed, *Caught in the Act: The Viewer as Performer* (Ottawa: National Gallery of Canada, 2008) 23 at 26-28. Drouin-Brisebois

⁶⁸ I want to address that of the four pieces I discuss, I have only actually experienced the installation by Kent Monkman and have watched his performance on DVD. Though I have not physically experienced the art pieces by Adrian Stimson, I recently had the opportunity to experience another one of his installations/performance with artist Lori Blondeau. Taking this into consideration, the potential I place on installation and performance as art forms is based on my general experience with them in differing capacities.

that undergirds Canada's reconciliatory projects. For this reason, I turn to the artistic work of Kent Monkman, examining his two pieces *Taxonomy of the European Male* and *Boudoir de Berdashe*. While Monkman's art does not address the politics of reconciliation directly, it does address nineteenth century representation of North America and Indigeneity, which, as I argue, inform contemporary political, social and legal relations between Canada and Indigenous communities. In identifying nineteenth century visual representations, I show how Monkman's visuals draw on the myth of community and in turn interrupt the myth by queering these representations. Monkman's queer interruption results in a destabilization of sovereignty and subjecthood that opens up a space to imagine what political, social and legal relations could look like with an alternative conceptualization of sovereignty that speaks to our ontological truth.

CHAPTER 1: QUEER INDIGENOUS ART AS DECOLONIZATION

The inclination toward unity and wholeness is not anomalous to reconciliation in Canada. Similar frameworks can be found within reconciliatory projects in Timor L'Este, South Africa and Australia. Reconciliatory gestures in these countries have been labelled as nation-building projects that seek to construct a unified identity between disparate social groups. These projects are similarly criticized for being too focused on unifying myths for the sake of avoiding and preventing political, legal and social instability. Constructing a unified identity enables the persistence of a sovereignty as it maintains existing social arrangements by hindering possibilities for opposition. In this regard, I suggest that the desire for wholeness within reconciliatory approaches is based on a conceptualization of a self-enclosed autonomous sovereign that stems from what Jean-Luc Nancy refers to as the myth of community.

To decolonize politics of reconciliation requires destabilizing settler understandings of sovereignty. To render settler sovereignty as uncertain, unifying myths of community contingent on the autonomous individual must be interrupted. Interruption can occur through the disruptive elements of queer Indigenous art. Such art is capable of interruption as it calls forth the critical thinking presented within queer Indigenous studies. That is, it presents both non-normative conceptualizations of being and identity, and also seeks to destabilize the settler state. To this extent, queer Indigenous art has the potential to disrupt certainty-making approaches to reconciliation by exposing alternative images of sovereignty that acknowledge the ontological truth of our being-in-common. Art such as this furthermore destabilizes an understanding of the individual as self-enclosed and fully autonomous. By making these arguments, I am demonstrating the potential connections between scholarship on reconciliation, contributions to queer Indigenous scholarship, and the philosophy of Nancy. Doing this, I ultimately argue that by interrupting the myth of community

and destabilizing the sovereign subject, queer Indigenous art disrupts Canada's reconciliatory gestures that have their basis in a desire for wholeness. In this sense, this project can be situated within recent discourses on the role art plays in response to Canada's limited approach to reconciliation, and within the decolonizing potential of queer Indigenous studies.

Colonialism and Reconciliation

In the introduction to *Reconciling Canada: Critical Perspectives on the Culture of Redress*, Jennifer Henderson and Pauline Wakeham place Canada within an emerging phenomenon in the international sphere that Jacques Derrida refers to as the "globalisation of forgiveness".⁶⁹ This is made especially apparent in light of the 2006 United Nations resolution that declared 2009 the International Year of Reconciliation in an attempt to intensify commitments to the development of reconciliation processes considered necessary to and a condition of firm and lasting peace.⁷⁰ According to Henderson and Wakeham, the significance of the federal government's 2008 apology for its role in the development and operation of the Indian Residential School System, marks Canada's domestication of the global movement towards forgiveness and reconciliation. While the 2008 apology in addition to the Truth and Reconciliation Commission of Canada (TRC) are the most prominent examples of this, Henderson and Wakeham emphasize that these initiatives must be thought of in relation to two decades of processes and approaches to reconciliation; not just in response to Indigenous communities but also to other cultural groups seeking redress for harms inflicted upon them by the Canadian state. In addition to reconciliation between Canada and

⁶⁹ Henderson and Wakeham, "Introduction", *supra* note 16 at 3. For Derrida's notion of the "globalisation of forgiveness" see Jacques Derrida, *On Cosmopolitanism and Forgiveness*, translated by Mark Dooley and Michael Hughes (New York: Routledge, 2001) at 30-31. See also Glen Sean Coulthard, *supra* note 15. Like Henderson and Wakeham, Coulthard notes Canada's role in the emerging global industry promoting the issuing of apologies advocating for "forgiveness" and "reconciliation".

⁷⁰ *Resolution adopted by the General Assembly on 20 November 2006*, online: <http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/61/17>.

Indigenous communities, Henderson and Wakeham – and the other contributing authors – address similar approaches taken up by Japanese, Ukrainian and Chinese communities in Canada in the past.

Drawing out Canada's history of redress, Henderson and Wakeham illustrate the ways in which Canada has, on numerous occasions, sought to remedy the past injustices it was responsible for. Accordingly, current projects of reconciliation responding to the residential school legacy are not an uncommon response to past injustices, as "reconciliatory gestures have become familiar scenes in Canada".⁷¹ There are two potential ways in which this history of reconciliation can be interpreted. The first is as the exhibition of a newly self-aware and remorseful state. For instance, Henderson and Wakeham view it "as evidence of a state coming to historical self-consciousness, in the manner of an awakened, repentant individual who has crafted a progressively enlightened program of righting wrongs".⁷² Or if the emerging "globalisation of forgiveness" is considered, the patterns of reconciliation can be viewed as the government's attempt to remain as a front runner in the global movement towards reconciliatory gestures in efforts of transitional justice. With the continuity between past responses to groups seeking redress, Canada has framed its approaches towards reconciliation as a more committed and coherent project. A framework like this, bolsters national mythologies of Canadian dedication to pluralism, and furthermore reinforces the Canadian identity as a peace-keeping, peace-making nation in the global sphere.⁷³ Highlighting Canada's national myths, Henderson and Wakeham further argue that Canada's culture of redress works to sustain the illusion of the state as a coherent sovereign – or as Begoña Aretxaga calls the "imagined national

⁷¹ Henderson and Wakeham, "Introduction", *supra* note 16 at 7.

⁷² *Ibid.*

⁷³ *Ibid.* See also Regan, *Unsettling the Settler*, *supra* note 16. See also, Eva Mackey, "Tricky Myths: Settler Pasts and Landscapes of Innocence," in Peter Hodgins and Nicole Neatby eds, *Settling and Unsettling Memories: Essays in Canadian Public History* (Toronto: University of Toronto Press, 2011) 310.

state”.⁷⁴ In this sense, practices of reconciliation have a role in the maintenance of a particular national identity based on the myths of peace-keeping and cohesion.

The depiction of reconciliation as a project of nation-building, or as an effort to work a specific national identity, is similarly made by other scholars. Bashir Bashir and Will Kymlicka maintain that this approach is visible in the context of modern democracies consisting of disparate cultural and social groups. They emphasize that modern democracies “[...] are, or aspire to be, nation-states, in which co-citizens are assumed to share a common national identity”.⁷⁵ With reconciliatory projects addressing the conflicting and violent relationships between groups within a society, the role of nation-building in reconciliation is not surprising. The nation-building approach to reconciliation also seems appropriate in response to the confessional approach grounded in Catholicism and Christianity, as it is regarded as the secular approach to righting past wrongs within societies.⁷⁶

The nation-building approach to reconciliation is centred on overcoming past harm through the working of a shared identity. It is “designed to overcome and replace divisions with a new shared sense of nationhood”.⁷⁷ Bashir and Kymlicka describe this overcoming of divisions as aspiring to achieve a harmonious and integrated society through a conversion. This conversion involves an erasure of difference that leads to the production of non-racial citizens of a ‘rainbow nation’.⁷⁸ Significant to the nation-building approach is its implications on notions of belonging. As Bashir and Kymlicka argue,

this model implies that were it not for artificial divisions created by earlier oppressive policies, the various groups in a divided society would and should feel that they belong together in a unified political community, and that the goal of reconciliation is

⁷⁴ Henderson and Wakeham, “Introduction”, *supra* note 16 at 7. See also Begoña Aretxaga “Maddening States”, (2003) 3 Annual Review of Anthropology 393.

⁷⁵ Bashir Bashir and Will Kymlicka, “Introduction” in Bashir Bashir and Will Kymlicka eds, *The Politics of Reconciliation in Multicultural Societies* (Oxford: Oxford University Press, 2008) 1 at 11.

⁷⁶ *Ibid* at 12-13. See also Rymhs, *supra* note 63.

⁷⁷ *Ibid* at 14.

⁷⁸ *Ibid* at 15.

to move people away from older divisive identities to a new shared national identity.⁷⁹

Referring to *conversion* as an element of reconciliation illuminates the way in which nation-building approaches within reconciliatory gestures are about the (re)creation of one identity under one national political community. More importantly, it calls for the exclusions of what would be contradictory and oppositional to the new shared identity in order to achieve and maintain the harmonious unification.

While the numerous projects of reconciliation within Canada and beyond are conceptualized in a variety of ways, many scholars like Damian Grenfell and Kay Schaffer suggest that the nation-building project that underpins them cannot be ignored. Grenfell specifically addresses the formation of nationhood at work in reconciliatory gestures in Timor L'Este. His work was inspired by the words of a banner that was hung at each of the hearings that occurred between 2002-2005 as a part of the Community Reconciliation Program organized by the Commission for Reception, Truth and Reconciliation of East Timor, commonly known as CAVR.⁸⁰ In English the banner read 'With Reconciliation we can strengthen unity in our land'.⁸¹ Highlighting the words of the banner '*unity in our land*' and their reoccurring appearance during the hearings and other reconciliatory projects, Grenfell draws out the link between reconciliation and national unity. Supported by the work of Benedict Anderson, Grenfell argues that the proliferation of media that used unifying language worked in a manner that depicted the nation not as an object, but as something that individuals are to be drawn in to.⁸² The varying forms of media in short, consolidated a conscious sense of

⁷⁹ *Ibid* at 15.

⁸⁰ Damian Grenfell, "Truth, Reconciliation and Nation Formation in 'Our Land' of Timor-L'Este" in Cleo Fleming et. al. eds, *Pathways to Reconciliation: Between Theory and Practice* (England: Ashgate, 2008) 79. The acronym CAVR is from the Portuguese name Comissão de Acolhimento, Verdade e Reconciliação de Timor L'Este

⁸¹ *Ibid* at 80.

⁸² *Ibid* at 83. See also Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (New York: Verso, 1991).

integration and togetherness and revealed the value placed on harmony over conflict and instability.⁸³

Kay Schaffer makes similar arguments about reconciliation and nation-building in her discussion of the commemorative projects in South Africa.⁸⁴ In her work on the South African TRC, Schaffer argues that “large memorial projects initiated by the government to commemorate the Struggle against apartheid, honour its victims and provide unifying myths of nationhood”.⁸⁵ She stresses how in response to reconciliation, such projects encourages a politics of sameness.⁸⁶ For Schaffer, the encouragement of sameness within “the dominant framework for reconciliation set by the TRC and modified by successive ANC governments, actually undermines those shaping experiences and perspectives, and represses that which remains contested, unarticulated, chaotic, and unresolved”.⁸⁷ Contestation and opposition are repressed in order to maintain a unified and harmonious state. This unity is furthermore produced and maintained by commemorative sites that acknowledge the struggle and suffering of the past through the creation of a common history intended to rectify the divisions, unify the nation and effect closure.⁸⁸ Seeking to unify the nation through weaving a common history, in addition to closing off the past, reveals how gestures of reconciliation are often driven by political necessities.⁸⁹

Stewart Motha similarly argues that the nature of reconciliatory projects in Australia are determined by desires to maintain a national ‘political community’ with ‘one-law’. Motha illustrates

⁸³ *Ibid* at 82 and 87.

⁸⁴ Kay Schaffer “Testimony, Nation Building and the Ethics of Witnessing: After the Truth and Reconciliation Commission in South Africa” in Cleo Fleming et. al. eds, *Pathways to Reconciliation: Between Theory and Practice* (England: Ashgate, 2008) at 89.

⁸⁵ *Ibid*.

⁸⁶ *Ibid*.

⁸⁷ *Ibid* at 91.

⁸⁸ *Ibid* at 92.

⁸⁹ *Ibid*.

how this desire is visible in the foundational problems of the juridical and the political.⁹⁰ He draws a connection between failures to remedy these problems, and the impossibility of a just response through reconciliatory politics. Specifically, he suggests that the failure to address problems of the juridical relates to a notion of the 'political community' and the insistent 'commonality' of a nation with 'one-law' that enables a contradictory response to calls for reconciliation.⁹¹ Reconciliation is contradictory insofar as it calls for a renewal of the juridical and the political that simultaneously preserves and disavows colonial sovereignty, law and political community.⁹² Desires for communal stability, or peace and order, determines the extent to which nation-states respond legally and or politically to Indigenous claims for justice. Stability here is the operative word that reveals the contradictory nature of a response. The need and demand for stability is what determines "the impossibility of a clear separation between colonial sovereignty and postcolonial law [that] haunts attempts at reconciliation".⁹³ In the end, Motha's work implies that insisting on a commonality that places a people under one nation and one law, requires the maintenance of an assimilationist colonial sovereignty that is disguised as a postcolonial response that places human rights as a priority. In short, Motha suggests how reconciliation as nation-building is actually domination.

In her work on CBC's *8th Fire*, Carmela Murdocca contends that the positive move toward reconciliation and reparation simultaneously emerges with the annihilation scheme of settler colonialism.⁹⁴ In this respect she similarly views reconciliation as domination. According to Murdocca, the annihilation scheme is evident in reconciliatory spaces that require "testimonies that work to fuse the racialized other to new forms of neoliberalism [...]".⁹⁵ The projection of neoliberal forms onto the

⁹⁰ Stewart Motha, "Reconciliation as Domination" in Scott Veitch ed, *Law and the Politics of Reconciliation* (England: Ashgate, 2007) 69.

⁹¹ *Ibid* at 69-71.

⁹² *Ibid* at 69.

⁹³ *Ibid* at 76.

⁹⁴ Carmela Murdocca, "Visual Legalities of Race and Reparations" (2014) 29:2 Can JL & Soc 219 at 233-234.

⁹⁵ *Ibid* at 232.

racialized other is grounded on a belief of their being ontologically broken.⁹⁶ Taking this into consideration, Murdocca argues that the confessional-like structure of reconciliatory practices creates the space for an ontological overcoming through which the broken racialized other achieves a new field of human. As such, these spaces are ones in which the less than human speaks as human.⁹⁷ Consequently, for Murdocca, reconciliatory practices are acts of domination. This is because to view the Indigenous individual as ontologically broken, and in need of repair, is to (re)victimize them and to ignore Indigenous resistance and resilience. Additionally, the emphasis on confessional-like speech reveals how it is only through an alignment with Western liberal values and Catholicism is the racialized other viewed as human. In the end, Murdocca illustrates how spaces of reconciliation are spaces of racial violence as they demand the Indigenous individual be re-united with the Canadian settler state.

Queering the Sovereign Subject

Queer Indigenous studies is an engagement between queer theory and Native/Indigenous studies that recognizes how despite being mutually exclusive by definition, each field has much to offer to the other.⁹⁸ Drawing an alliance between the two, however, is not to imply that independently they lack strength or significance. Indigenous studies is particularly crucial as it interrupts colonial authority over knowledge, and recognizes Indigenous people as central to all knowledge claims about themselves.⁹⁹ In opposition to state narratives, Indigenous studies brings forward the diversity

⁹⁶ *Ibid* at 223.

⁹⁷ *Ibid* at 232-233.

⁹⁸ I place the slash between Native and Indigenous because some of the scholars I draw on throughout this project use the term Native studies over Indigenous studies. As mentioned earlier I prefer to use Indigenous studies and will continue to do so throughout the project. I recognize however, that both Native and Indigenous are considered appropriate terms.

⁹⁹ Qwo-Li Driskill et. al "Introduction" in Qwo-Li Driskill et. al. eds, *Queer Indigenous Studies: Critical Interventions in Theory, Politics, and Literature* (Arizona: University of Arizona Press, 2011) at 4.

of Indigenous voices and perspectives in narratives of the past and in contemporary discourses on Indigenous-settler relations. While this is beneficial in promoting multiplicity, complexity and change among knowledge claims made by Indigenous people, scholars like Andrea Smith and Chris Finely suggest that Indigenous studies does not address the internalization of colonial patriarchy within Indigenous communities. Both scholars argue that this omission contributes to a colonialist heteronormative framing of Indigenous communities. Queer theory disrupts the maintenance of colonial notions of gender and sexuality as it is dedicated to interrogating the logics of heteronormativity.¹⁰⁰ For this reason, contributing scholars within queer Indigenous studies seek to bring queer studies and Indigenous studies together because of what they have to offer each other.

While queer theory maintains a focus on gender and sexuality, its demands for justice go beyond those typically called for by the identity-based politics of LGBT movements. Scholars within queer theory remain critical of how LGBT politics often presents a desire to assimilate into heteronormative culture based on some shared interest or some shared essence of identity. As a result, LGBT identity-based politics tends to reinforce the values, beliefs and status of heteronormative culture.¹⁰¹ Instead, theorists like Michael Warner affirm that the wants and needs discussed within queer theory are connected to broader demands for justice and freedom.¹⁰² In this respect, queer theory “rejects minoritizing logics of toleration or simple political interest-representations in favour of a more thorough resistance to regimes of the normal”.¹⁰³ The skepticism towards minoritizing logics stems from their being contingent on shared values and a shared essence

¹⁰⁰ Smith, *supra* note 20 at 44. Smith does not offer a full explanation of what she means by logics of heteronormativity. My understanding of it comes from Lauren Berlant and Michael Warner who present heteronormativity as the constellation of practices that everywhere disperse heterosexual privilege as a tacit but central organizing index of social membership. See Lauren Berlant and Michael Warner, “Sex in Public” (1999) 24 *Critical Inquiry* 547 at 554.

¹⁰¹ Nikki Sullivan, *A Critical Introduction to Queer Theory* (NYU Press: New York, 2003) at 56.

¹⁰² Michael Warner, “Introduction” in Michael Warner ed, *Fear of a Queer Planet: Queer Politics and Social Theory* (Minneapolis: University of Minnesota Press, 1993) vii at xi.

¹⁰³ *Ibid* at xxvi.

of identity that resemble those of the dominating culture. Consequently, minoritizing logics tend to call for organizing from a space of cultural or political purity. In doing so, they become exclusionary and hinder flexibility and creativity within political strategizing.¹⁰⁴ To strategize from a place of cultural and political purity negates how identities are unfixed, hybrid and fragmented. Taking this into consideration, queer theory defies notions of uniform identity or origins. It embraces the fragmentary subject formation of people whose identities traverse different race, sexuality, and gender identifications.¹⁰⁵ Remaining cautious of the exclusionary and narrow nature of identity-based politics, queer theory resonates with my advocating for a reconsideration of the desired construction of a national political community based on a unified identity. Later I will return to the significance of queer Indigenous studies to my argument against reconciliatory frameworks that seek wholeness and unity, but first I want to relay how Nancy similarly cautions against a unified identity.

Nancy presents two conceptualizations of community in his seminal text *The Inoperative Community*. The first is the immanent community that develops out of mythic narratives that bring people under a common identity. The second, which will be discussed further on, is community as being-in-common. The immanent community is an identitarian community that originates from mythic narratives a community tells itself. What myth communicates is the story of a we that a we tells itself. It is through the mythic story the we comes to know and “understand themselves and the world”.¹⁰⁶ The telling of the myth is oriented towards bringing people together under one identity based on the self-communicating narratives. Or as Marie-Eve Morin describes it, the telling of the myth is a community’s attempt or a people’s attempt at self-grounding or self-formation; it is the working of a

¹⁰⁴ Smith, *supra* note 20 at 56. See also José Esteban Muñoz, *Disidentifications: Queers of Color and the Performance of Politics* (Minneapolis: University of Minnesota Press, 1999); Samuel A. Chambers “A Queer Politics of the Democratic Miscalculation” (2009) 8:2 *Borderlands E-Journal* 1.

¹⁰⁵ Muñoz, *supra* note 104 at 32.

¹⁰⁶ Nancy, *The Inoperative Community*, *supra* note 31 at 44.

self-determining sovereignty.¹⁰⁷ Nancy describes this working or self-grounding of community as immanentism. An immanent community is one of absolute individualism. Such a community and its subjects are perfectly detached, distinct, and closed; they strive towards a self-enclosed presence and are being without relation.¹⁰⁸

The immanent community, that works a unified identity and is invented through myth, is totalitarian in nature. As Nancy has noted, “what we have called *totalitarianism* [...] might be better named *immanentism*”.¹⁰⁹ The totalitarian nature of the immanent community pertains to its constant self-communication through myth. That is, through myth community communicates only itself.¹¹⁰ Or as Nancy explains it, myth is the basis of a conception of a community in which “human beings [are] defined as producers [...] and fundamentally as producers of their own essence in the form of their work”.¹¹¹ As a result, the working of an immanent community is the organic communion of itself with its own essence.¹¹² Ultimately, any person that does not participate in the immanence is regarded as nonimmanent and thus must be eliminated.¹¹³ Through this elimination, the immanent community as a self-determining sovereign affirms its being without relation, it affirms its being absolute. Herein lies the link between Nancy and thinking within queer theory on unified identity. Like queer scholars who are skeptical of identity-based politics that become exclusionary, so too does Nancy caution against the working of a unified identity as it leads to a totalitarian-like elimination of that which is other.

¹⁰⁷ Marie-Eve Morin, *Jean-Luc Nancy* (Cambridge: Polity Press, 2012) at 88.

¹⁰⁸ Nancy, *The Inoperative Community*, *supra* note 31 at 4. See also Ignaas Devisch, “A Trembling in the Desert: Jean-Luc Nancy’s Rethinking of the Space of the Political” (2000) 4 *Cultural Values* 239 at 240.

¹⁰⁹ Nancy, *The Inoperative Community*, *supra* note 31 at 3.

¹¹⁰ Morin, *supra* note 107 at 88.

¹¹¹ Nancy, *The Inoperative Community*, *supra* note 31 at 2.

¹¹² *Ibid* at 9.

¹¹³ *Ibid* at 12.

The working of a unified identity through mythic narratives is also problematic for Nancy because it suppresses our ontological reality. That is to say, immanence instantly suppresses community as being-in-common, which as I mentioned above is Nancy's second conceptualization of community.¹¹⁴ Community as such is suppressed because the working of absolute immanence negates being as *being singular plural*. Referring to being as singular plurality, Nancy makes a distinction between a singularity and an individual or individuality. As Nancy writes "the concept of the singular implies singularization and, therefore, its distinction from other singularities [...]".¹¹⁵ Singularity means that to be oneself is to distinguish oneself from an other and this distinguishing cannot happen without the existence of others.¹¹⁶ Ultimately for Nancy, "being cannot be anything but being-with-one-another, circulating in the *with* and as the *with* of this singularly plural coexistence".¹¹⁷ The circulation in the *with* implies how singularity is based in exposition as opposed to mere juxtaposition in the sense of being closed off to the other. However, the circulation is equally not about a sharing of some commonality or essence.¹¹⁸ As such singularity, or being singular plural, "[...] ensures the consequent impossibility of cohering in an absolute community with others".¹¹⁹ Diverging from an understanding of community as the fusion of individuals under a commonality, Nancy's community is composed of singularities that are constituted by a sharing; what is shared is the exposure of their singularity. For Nancy, community thus is continual exposition as there is no singular being without another singular being or alterity.¹²⁰ In this respect, community, as being-in-

¹¹⁴ *Ibid.*

¹¹⁵ Jean-Luc Nancy, *Being Singular Plural* translated by Anne O'Byrne and Robert Richardson (Stanford: Stanford University Press, 2000) at 32.

¹¹⁶ *Ibid* at 39.

¹¹⁷ *Ibid* at 3.

¹¹⁸ *Ibid* at 60-61.

¹¹⁹ David Pettigrew, "The Task of Justice" in Cleo Fleming et. al. eds, in *Pathways to Reconciliation: Between Theory and Practice* (England: Ashgate, 2008) 29 at 30.

¹²⁰ Nancy, *The Inoperative Community*, *supra* note 31 at 25, and 28-29.

common, is *what happens to us*. It is not something lost to be found, or to be achieved; community just *is*.¹²¹

The continual exposition of singularity has an effect on conceptualizations of identity, both at the individual and the societal level. Since community is the constant happening of shared exposition, identity lacks an original origin.¹²² This lack is furthermore telling of the impossibility of a fixed identity for a larger society since “each singular existence [...] in its [exposition], is a source from which the world can be created and recreated”.¹²³ This notion of the world being continuously recreated I suggest should be considered in light of reconciliatory projects that seek to work a unifying national identity. A lack of origin implies the impossibility of a national identity and or at least that it is inevitably unfixed as a result of singularity as being-in-common. This in turn plays into a troubling of conceptions of sovereignty that speak to a self-enclosed autonomous subject. As David Pettigrew states, “Nancy’s emphasis on beginnings, on the fact that each singular existence can inaugurate a world, is an advance on [a] thinking of autonomy in the sense that the concept of a sovereign autonomy is rendered more dynamic, particular and fragile”.¹²⁴ Pettigrew thus successfully draws out how Nancy’s singularity as shared exposition ensures the ‘incompletion’ of the working of community, ensures ‘inoperativity’, and overall ensures a resistance to totalitarian closure.¹²⁵

The impossibility of a fixed identity implied in Nancy’s being-in-common further echoes similar thinking within queer theory. Again, queer theory recognizes that identities traverse different race, sexuality, gender and religious identifications. Doing so, queer theorists embrace and advocate for a conceptualization of identity/identities as hybrid, fragmented and as similarly unfixed. To do

¹²¹ *Ibid* at 11.

¹²² *Ibid* at 33.

¹²³ Pettigrew, *supra* note 119 at 31.

¹²⁴ *Ibid* at 32.

¹²⁵ *Ibid*.

otherwise is consequently exclusionary. Although thinking of identity in this way can be beneficial, contributors to queer Indigenous scholarship remain critical of its conceptualization. They contend that identity as unfixed still maintains exclusionary tendencies as hybridism is inclined to erase significant identifications through which political strategizing stems from. In the Indigenous context this is detrimental to Indigeneity as it means the potential loss of a position through which settler colonialism can be radically critiqued.

Smith is particularly critical of queer theory's inclination toward a subjectless critique. A subjectless critique refers to the avoidance of "[...] positing [...] a proper subject *of* or object *for* the field by insisting that queer has no fixed political referent".¹²⁶ In this sense, for Smith, the subjectless critique of queer theory means the disappearance of Indigeneity, which in turn results in a failure to address settler colonialism. Accordingly, Smith criticizes queer theory's acceptance of the givens of the state and the notions of sovereignty it projects. Though she remains critical of the concept, Smith does value the potential of the subjectless critique to enable an escape of the ethnographic entrapment that tends to occur within Indigenous studies.¹²⁷ Nevertheless, on the whole, Smith is wary of how settler colonialism and the ongoing genocide of Indigenous peoples seems to disappear within queer theory as it fails to speak to the legacy of racism that is still present today.¹²⁸ The tendency to disappear Indigeneity is why queer Indigenous studies highlights the function of 'the Native' or Indigeneity within certain scholarships; queer theory being the one in this case.¹²⁹ Referencing the work of José Esteban Muñoz and Renya Ramirez, Smith stresses that notions of hybridism often work against queer Indigenous interests which are not simply oriented towards

¹²⁶ Smith, *supra* note 20 at 46. Smith pulls this explanation of the subjectless critique from the co-editors of the *Social Text* issue on queer studies. See David L. Eng et. al., "Introduction: What's Queer about Queer Studies Now?" *What's Queer About Queer Studies Now?* (2005) 23:3-4 *Social Text* at 5.

¹²⁷ The ethnographic entrapment that occurs within Indigenous studies is addressed by Audra Simpson whom I will be discussing later in this section.

¹²⁸ Smith, *supra* note 20 at 46-47.

¹²⁹ *Ibid* at 49.

carving out a minority space within the settler state. Rather, Indigenous interests take on an anti-colonial framework that seeks to dismantle the settler state completely.¹³⁰

At the same time, however, Smith recognizes that the hybridism put forward by Muñoz's concept of disidentification has the potential to aid projects of decolonization. Disidentification is described as "[...] the third mode of dealing with dominant [society], one that neither opts to assimilate within such a structure nor strictly opposes it; rather disidentification is a strategy that works on and against dominant [society]".¹³¹ As such, disidentification is neither identification nor simple counteridentification as it seeks to avoid the trap of assimilating or of adhering to a different separatist politics.¹³² This is significant as Smith recognizes the way in which Indigenous studies tends to take on the separatist politics that develop out of counteridentification. Separatist politics are problematic as they form a political and cultural purity within Indigeneity that ultimately results in exclusions within Indigenous communities.¹³³

Reflecting on healing projects in the US that emphasize traditional spiritual practices, Smith shows how Indigenous communities can be exclusionary.¹³⁴ Participants of these types of projects said they felt pressured to be more 'traditional', which posed a problem as many Indigenous peoples today identify as Christian. Through these participants, Smith became aware of how Christian identified Indigenous individuals "[...] become positioned as necessarily inauthentic or 'assimilated' even if they are concurrently involved in struggles for sovereignty and liberation".¹³⁵ Taking this into account, Smith acknowledges that decolonization projects can become equally colonial in their implementation. Acknowledging this tendency, Smith posits that the strategy of disidentification can

¹³⁰ *Ibid* at 54. See also Muñoz, *supra* note 104; Renya Ramirez, *Native Hubs: Culture, Community and Belonging in Silicon Valley and Beyond* (Durham: Duke University Press, 2007).

¹³¹ Muñoz, *supra* note 104 at 11-12.

¹³² *Ibid* at 18.

¹³³ Smith, *supra* note 20 at 53.

¹³⁴ Smith specifically recalls her work with the Boarding School Healing Project in the US.

¹³⁵ Smith, *supra* note 20 at 54.

enable an awareness of diversity within Indigenous communities. Doing so shifts a focus away from traditional identity to an awareness of multiple identifications and the strategies of decolonization that they could produce.¹³⁶

The Christian identified Indigenous individual is a good example of a hybridized identity that maintains a struggle against the settler state despite taking on its religious values. It is furthermore a good example of the insistence on Indigeneity within queer scholarship to challenge the givenness of the state. An Indigenous individual who has taken on Christian values, would be referred to as an “affectable other” according to the work of Denise Ferreira da Silva, whom Smith draws upon. According to Silva, the western “version of the subject as self-determined exists by situating itself against ‘affectable others’ who are subject to natural conditions as well as to the self-determined power of the western subject”.¹³⁷ To this extent, Silva reveals an understanding of the sovereign autonomous subject as self-enclosed and incapable of being influenced by the other. Consequently, “the central anxiety which the western subject struggles is that it is, in fact not self-determining”.¹³⁸ Ultimately, differentiated from the ‘affectable other’, the sovereign subject must be self-enclosed and thus avoid affectability by assimilating the ‘affectable other’ or by extinguishing them completely. Anxiety towards affectability explains why reconciliatory projects that push a shared identity maintain a self-enclosed sovereignty that is ultimately assimilationist and or eliminatory.

I suggest that the Indigenous individual as an ‘affectable other’ who simultaneously embraces its affectability and actively seeks to dismantle the settler state troubles the notions of the Western autonomous sovereign subject. These individuals present an alternative notion of

¹³⁶ *Ibid.*

¹³⁷ *Ibid* at 44. See also Denise Ferreira da Silva, *Toward a Global Idea of Race* (Minneapolis: University of Minnesota Press, 2007). The affectable other is the racialized other that the Western subject as a self-determining sovereign exerts its power over. The affectable other cannot effect power themselves and so their engulfment or elimination by the Western sovereign is viewed as inevitable.

¹³⁸ *Ibid.*

sovereignty discussed by Robert Warrior who “[...] turns the category of sovereignty away from establishing boundaries”.¹³⁹ Instead of building boundaries, Warrior argues that Indigenous struggle for sovereignty is not a struggle to be free from the influence of anything other than that which is Indigenous. Rather, it is a process of asserting the power Indigenous communities and individuals possess to make decisions that affect Indigenous lives.¹⁴⁰ In this sense, Warrior’s conception of sovereignty is to an extent similar to the one promoted by Muñoz’s *disidentification*. Implying a hybridism, Warrior’s sovereignty marks the power of withdrawal without becoming separatists. Moreover, it is a sovereignty that is open to the pain and joy of others, and as such is a willingness to reach for contradictions within Indigenous experience.¹⁴¹ Warrior’s call for contradictions, can similarly be found in queer Indigenous and or Two-Spirit scholarship. Within this scholarship Two-Spirit identity is explained as being in continuity with tribal traditions while simultaneously a statement of contemporary intertribal identity and politics.¹⁴² It is thus an identity that blurs the lines between traditional and non-traditional, and as such is a sovereign embrace of contradiction.

As mentioned earlier, Rifkin’s work with queer Indigenous writers focuses on what he refers to as “structures of feeling”. Rifkin’s concept is a reference to one of the same name discussed by Raymond Williams who emphasizes modes of domination that tend to exclude feelings of the personal.¹⁴³ Picking up on this exclusion, Rifkin suggests that the kinds of feelings characterized as personal “[...] can refer not only to forms of experience that lie at the edge of conscious awareness, but also those associated with entire social configurations that lie outside or challenge the

¹³⁹ Driskill et. al., “Introduction”, *supra* note 99 at 8.

¹⁴⁰ Robert Allen Warrior, *Tribal Secrets: Recovering American Indian Intellectual Traditions* (Minneapolis: University of Minnesota Press, 1994) at 123-124.

¹⁴¹ *Ibid* at 124.

¹⁴² Driskill et. al., “Introduction”, *supra* note 99 at 16.

¹⁴³ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 3. For a full explanation of Raymond Williams’s conceptualization of ‘structures of feeling’ see Raymond Williams, *Marxism and Literature* (Oxford: Oxford University Press, 1977) at 125 and 128.

parameters of existing domination”.¹⁴⁴ Emphasizing references to social configuration that challenge dominating frameworks, Rifkin argues that through a representation of queer Indigenous erotics in literature develops alternative visions of peoplehood and sovereignty. Alternative conceptions of sovereignty are produced as these seemingly apolitical, or personal expressions of individual experience are alternatively collective in character.¹⁴⁵

Stressing collectivity, Rifkin expands the possibilities of meaning, not just of Indigeneity, but of the autonomous subject in ways that exceed settler literalizations. In other words, making present collectivity, queer Indigenous erotics and structures of feeling expose how personhood can be rethought as a reserve of peoplehood.¹⁴⁶ This shift in view on the autonomous subject ultimately disrupts images of continuity or wholeness that lie at the basis of identity and subjectivity. In turn, it highlights networks of impressions foregrounding interdependence and vulnerability as positive principles of peoplehood.¹⁴⁷ What is significant to Rifkin’s argument about interdependence and affectability as conditions of personhood and peoplehood, is how for him it does not fully negate individuality. Rifkin emphasizes that “individual experience is never entirely separable from ongoing engagement with others”.¹⁴⁸ As such, individuality in this sense works against Western notions of sovereign autonomy.

Creative Practices as Interruption:

The alternative conceptions of sovereignty and personhood that Rifkin highlights are drawn out from contemporary queer Indigenous literature. Rifkin focuses on queer Indigenous literature

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid* at 18-20.

¹⁴⁷ *Ibid* at 35.

¹⁴⁸ *Ibid* at 37. Much of Rifkin’s thinking on the individual’s ongoing engagement with others is influenced by his reading of Sarah Ahmed’s work. See Sarah Ahmed, *The Cultural Politics of Emotion* (New York: Routledge, 2004).

because he believes that the representations of bodily, emotional and psychological sensation that they contain work to challenge settler formulations not just of Indigenous identity, but of personhood and the sovereign autonomous subject in general.¹⁴⁹ Depicting structures of feeling through representations of experiences typically classified as personal, Rifkin argues that queer art works as a form of politics that gives presence to unacknowledged social formations.¹⁵⁰ Doing this, queer Indigenous creative works furthermore exposes the operations of settler state institutions as processes of literalizations that determine Indigenous identity.¹⁵¹ Accounting for this dual role of queer Indigenous creative practices, Rifkin examines how queer Indigenous writing draws attention to the work of figuration as the relation between representation and the making possible of thought and action.¹⁵² However, before continuing with a discussion on the role of art within Rifkin's thinking, I want to draw out how his discussion on settler literalizations of Native identity relates to Audra Simpson's work on the relationship between ethnographic representations and nation-state figurations of Indigenous peoples. Together, ethnographic representations and settler literalizations – from the past and present – demonstrate how state figurations of both Indigenous and non-Indigenous being structure and influence Indigenous-settler relations.

Simpson argues that ethnographic representations of Indigeneity are a form of politics. They are a form of politics insofar as they are based on narratives that seek to disappear the Indian by determining the authorized political and legal forms of representation on offer to Indigenous communities and individuals. These representations act as portraits of function since they are used

¹⁴⁹ *Ibid* at 2.

¹⁵⁰ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 35. Rifkin discusses numerous examples of these in light of each of the authors he addresses. In general the unacknowledged social formations pertain to alternative conceptions of Indigeneity that are not determined or influenced by settler definitions. Some of these formations include, an understanding of Indigenous being as collectivity, as connection to land, or as emphasizing affectability and the impressions of history.

¹⁵¹ *Ibid* at 14.

¹⁵² *Ibid*.

to determine political, social and legal Indigenous-settler relations and dominate Indigenous communities both in the past and present.¹⁵³ Ethnographic representations are used for defining capacities for self-rule, and to apportion political and social possibilities used to empower and disempower, thus demarcating place within the social landscape. In other words, ethnographic representations efface senses of Indigeneity and inform settler theories of Indigenous culture, which are then used to embolden the laws, and as I argue the sovereignty of nation-states.¹⁵⁴ The disempowerment of Indigenous individuals results from the ways in which ethnographical methods stress harmony and timelessness with respect to Canadian Indigenous relations, concealing opposition and struggle against the state.¹⁵⁵

In order to destabilize these ethnographic representations and interrupt their corresponding effects, Simpson stresses the importance of “voice” when telling narratives of Indigeneity and its representations both in past and present. According to her, “voice” goes in hand with sovereignty within Indigenous contexts because when people speak for themselves, their sovereignty interrupts the narratives that are produced through colonial representations of North America and Indigeneity.¹⁵⁶ Insisting on voice, Simpson reclaims the power to name and narrate from the state. The narratives that are put forward are particularly disruptive when they take the form of *ethnographic refusal*, which in short is an enactment of sovereignty through decisions about what needs to be told and what remains unknown.¹⁵⁷ I suggest that the queer creative practices that Rifkin discusses can be considered as the retelling of narratives through an ethnographic refusal.

¹⁵³ Simpson, *supra* note 66 at 97. I use the phrase portraits of function later on to refer to state representations of Indigeneity and the Canadian community that influence and structure legal, social and political Indigenous-settler relations both in the past and present.

¹⁵⁴ *Ibid* at 100.

¹⁵⁵ *Ibid* at 97.

¹⁵⁶ *Ibid*.

¹⁵⁷ *Ibid* at 105.

Therefore, art and representations have a significant role to play in Indigenous sovereignty. This is largely due to the possibilities of restructuring settler structures of feeling through representations of Indigenous narratives. What is of particular importance to this project is how through these representations queer Indigenous art gives presence to the importance of relations to peoplehood and to Indigenous conceptions of being and identity. Queer Indigenous art reveals networks of impression, and the influences of the other on Indigenous and non-Indigenous subjectivity that have an effect on conceptions of the self. Furthermore, queer Indigenous art addresses forms of lived affect and interpersonal engagement that do not initially appear related to sovereignty and other settler notions of self-determination.¹⁵⁸ As such, queer Indigenous art troubles and destabilizes the senses of impervious insulation and self-enclosure that often characterize Western notions of the sovereign autonomous subject.¹⁵⁹ Insisting on the ways in which queer Indigenous art reveal networks of impression and affectability as aspects of subjectivity, Rifkin makes an argument similar to that of Jean-Luc Nancy on the interruptive quality of artistic works as presented in *The Inoperative Community*.¹⁶⁰

Nancy suggests that *literature* or *writing* have a quality that enables the interruption of myth that founds identitarian community. According to Nancy, “*literature* [...] in the sharing or communication of works – interrupts myth by giving voice to being-in-common”.¹⁶¹ Moreover, Nancy argues that being-in-common *is* literary in the sense that it has its very being in ‘literature’.¹⁶² The relationship between being-in-common and its being in literature pertains to how literature involves a communication or *sharing* of works. As a sharing, literature and writing occur for others and “to

¹⁵⁸ Rifkin, *Erotics of Sovereignty*, *supra* note 8 at 30.

¹⁵⁹ *Ibid* at 31.

¹⁶⁰ Nancy, *The Inoperative Community*, *supra* note 31.

¹⁶¹ *Ibid* at 63-64. See also James, *supra* note 35.

¹⁶² *Ibid* at 64.

write for others in reality is to write because of others”.¹⁶³ In other words, writing is a sharing that acknowledges that being is always being with others. For Nancy, the sharing that *is* literature extends to all forms of artistic practices including music, painting, dance, performance, etc.¹⁶⁴ It is this *sharing* that gives voice to being-in-common, or rather sharing *is* what for Nancy refers to as being-in-common. Artistic practice offer being as that which is in common, or alternatively as he states it “makes for a being that *is* only when shared *in common*, or rather whose quality of being, whose nature and structure are shared (or exposed)”.¹⁶⁵

Sharing is crucial to Nancy’s thought as it pertains to his understanding of being and community. This is because sharing is not something we decide to do. Rather, sharing is always happening as a result of our ontological truth. That is to say that sharing always happens with the other, it is “the passage from one to another, the sharing of one by the other”.¹⁶⁶ Literary communication or creative practices as sharing – are thus an ontological disclosure.¹⁶⁷ Literary communication exposes the singular ontological quality of being as *in common*. Or as Nancy rephrases elsewhere, it is “literature [...] that has as being [...] the common exposure of singular beings”.¹⁶⁸ Marie-Eve Morin brings this exposure of singularity back to community noting how it is the interruption of myth that undoes community rather than produce it. Herein lies how creative practices or literature interrupt the myth of the self-enclosed sovereign subject, as they expose the being as a singularity or as *being singular plural*.

¹⁶³ *Ibid* at 67.

¹⁶⁴ *Ibid* at 64.

¹⁶⁵ *Ibid*.

¹⁶⁶ *Ibid* at 65.

¹⁶⁷ James, *supra* note 35.

¹⁶⁸ Nancy, *The Inoperative Community*, *supra* note 31 at 66. See also Morin, *supra* note 107 at 92.

Unsettling and Queering Reconciliation through Art

Presenting Canada's reconciliatory projects as seeking to maintain settler sovereignty, this project can be situated within the discourse on reconciliation as nation-building outlined above. This is apparent as I argue that Canada's reconciliatory gestures are directed towards the construction of a harmonious national political community. This orientation places limits on the potential for such projects to effect change, as they do not address the limitations of the juridical and political approaches to offer a just response. I contend that Canada's failure to address the limitations of its offered approaches is related to the necessity of maintaining a unified national political community. As a result, Canada's approach to reconciliation can be reconsidered as a practice of domination. This is insofar as its reconciliatory framework is determined by the insistence on a sustained national political community structured as a sovereign, self-enclosed, autonomous whole.

In order to maintain its image as a harmonious national political community, Canada's projects of reconciliation tend to work a unified identity between disparate social groups. This unification requires the elimination of that which threatens the identity and thus is one of self-enclosed presence. My discomfort with the working of a shared self-enclosed identity similarly relates to the tendency to result in exclusionary and or assimilationist politics in the Canadian context, in addition to its potential to result in a mimicking of the violence of the settler state. Moreover, I argue that this particular framing of reconciliatory projects is grounded on a myth of community that has its basis in a myth of the sovereign subject. This project, thus, has as its purpose to destabilize the myth of the sovereign subject by presenting an alternative sovereignty founded on an understanding of being as relationality.

I argue that conceptions of sovereignty that embrace relationality can be found in queer Indigenous art that interrupt the myth of the self-enclosed autonomous subject. More specifically, I assert that the alternative conceptualizations of sovereignty interrupt the myth of the sovereign

insofar as they expose being as being-in-common. The capacity of the arts to interrupt such myths resonates with my overall advocacy for the contribution the arts can make in the discourse on reconciliation. To this extent, I maintain that queer Indigenous artistic practices can impact attitudes towards social, political, and legal Indigenous-settler relations and in turn restructure settler structures of feeling. Through this restructuring the certainty of settler sovereignty that underpins politics of reconciliation is ultimately destabilized and made uncertain.

Bringing together the scholarship of Simpson, Rifkin and Nancy, I am drawing from Smith's insistence on an alliance between Indigenous scholarship and others. By alliance however, she does not mean a simple fusion of different modes of thinking, but a necessity for Indigenous intellectual projects to be developed in conversation with rather than in isolation from potential partners.¹⁶⁹ While these authors may be said to be writing about very different things, I contend that each is strengthened when brought in conversation with the others. For example, Rifkin's work highlights relationality found at the core of Indigenous understandings of being and sovereignty. It however does not stress how this relationality could be present in Western liberal understanding of being. Nancy's thinking on the other hand is a rethinking of the Western liberal subject through a revealing of being-in-common as an ontological reality. In this sense, bringing Rifkin and Nancy together enables a potentially stronger rethinking of being and subjectivity for both the Indigenous and non-Indigenous individual. Likewise, Simpson's work suggests that there is room to think of an alternative conception of sovereignty, whereas Nancy's thinking suggests an overall opposition to the idea. In a similar fashion, though Nancy's thinking of community as being-in-common can destabilize notions of sovereignty, the disappearing of identity within his conceptualization poses a problem in addressing settler colonialism and racism. Hence, the significance of introducing queer Indigenous

¹⁶⁹ Smith, *supra* note 20 at 45.

scholarship to his philosophical thinking. In the end, this project seeks to explore how queer Indigenous art presents a space to consider how each of these authors may be similar but also what they may offer one another differently. More importantly, the connections to be made between the different narratives they tell about representations, identity, being and sovereignty signifies the important potential in the recognition of multiplicity and diversity of voices in the decolonizing process that is reconciliation.

CHAPTER 2: BUFFALO BOY'S RESPONSE TO RECONCILIATION

Art's Potential in Reconciliation

In 2010 the Truth and Reconciliation Commission of Canada put out an "Open Call for Artistic Submissions".¹⁷⁰ The 'open call' was intended to add to the gathering process of written and oral statements from former students and those who suffered the extended effects of Canada's residential school system. The call for artistic submissions is an acknowledgement of the artistic form as a legitimate form of expression. This is due to an awareness on the Commission's end that art has traditionally been used by Indigenous people as an avenue to express themselves.¹⁷¹ Or as Marie Wilson, a TRC Commissioner, states: "some people express themselves best through art, so the Commission wanted to give people an opportunity to share their experiences that way".¹⁷² She asserts that

part of [the commission's] mandate is that [it] will gather statements from survivors [...] in whatever way seems culturally appropriate for them [...] We just want people to know that art, expression through art, is an acceptable way to do that, and not only acceptable, it's a welcome way.¹⁷³

These sentiments are reflected in the call's opening statements that highlight the TRC's belief that artists have a profound contribution to make in expressing reconciliation.¹⁷⁴ Affirming the potential of the arts, "the TRC believes that collecting artistic works is an important and meaningful way to

¹⁷⁰ Jonathan Dewar and Ayumi Goto, "Introduction" *Reconcile This!* (2012) 46:2 *West Coast Line* #74 4 at 6. There is no actual date on the TRC website or on the "Open Call for Artistic Submissions" itself.

¹⁷¹ "Residential School calls for art" *CBC News* (29 July 2010), online: <<http://www.cbc.ca/news/canada/north/residential-school-commission-calls-for-art-1.928810>>.

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ Canada, Truth and Reconciliation Commission of Canada, *Open Call for Artistic Submissions*, online: Truth and Reconciliation Commission of Canada <http://www.trc.ca/websites/trcinstitution/File/pdfs/TRC_Art_Submissions_en_p6.pdf>.

express the truth, impact and legacy of the Residential School experience and to assist with reconciliation”.¹⁷⁵

Interest in the relationship between art and reconciliation existed well before the TRC call for submissions. More importantly, much of the art being produced is done not in coherence with the TRC but rather outside and parallel to ‘official’ TRC events and activities. Many Indigenous scholars, activists and artists advocate for artistic forms of expression because of its role in tradition and historical narratives that are oriented towards illustrating Indigenous experiences in the past and present. Maori scholar Linda Tuhiwai Smith, for instance, addresses how the colonial past has always been a part of Indigenous art-making. She writes: “talk about the colonial past is embedded in [...] our humour, poetry, music, storytelling, and other common sense ways of passing on both a narrative of history and an attitude about history”.¹⁷⁶ In this regard, it is clear why many activists, scholars and artists are adamant that Indigenous art forms are never separate from political forms and thus are inherently political.¹⁷⁷ As such Indigenous art has the ability to reclaim and revitalize the potential for art to have an active purpose in the influencing social, political and legal struggles.¹⁷⁸

The political nature of Indigenous art is manifest in the ways in which artists, activists and scholars talk about the potential for art in the reconciliation process. For many, there is no doubt that “the goals of reconciliation could be further served through active engagement with artistic

¹⁷⁵ *Ibid*. The TRC insisted that themes addressed by artwork could be wide in scope. Not only were they to touch on residential schools and their lasting impact, but also could relate to the 2008 apology, remembrance, reconciliation, truth, cultural oppression and cultural genocide.

¹⁷⁶ Linda Tuhiwai-Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 1999) at 19. As a Maori scholar, Smith is likely referring to Indigenous art within New Zealand. I believe that this can be extended to the Canadian context – especially in light of the artists I focus on.

¹⁷⁷ Jarrett Martineau and Erik Ritskes “Fugitive indigeneity: Reclaiming the terrain of decolonial struggle through indigenous art” (2014) 3:1 *Decolonization: Indigeneity, Education & Society* I at I.

¹⁷⁸ *Ibid* at I-II. This echoes Rifkin and Qwo-Li Driskill’s discussion of queer Indigenous art as forms of political theory. My decision to refer to social, political, and legal struggle relates to the project’s sub-focus on the implications gestures of reconciliation have on identity, sovereignty and sense of self, and how these may be destabilized through artistic representation.

practices”.¹⁷⁹ This can be done in many ways. One way is in art’s ability to deal with particularly difficult subject matter. For Jonathan Dewar, the appeal of bringing art and reconciliation together rests in art’s ability to say the unsayable as it presents a way to access the painful and the difficult for which there are no words.¹⁸⁰ Moreover, art-making in itself can be a process of rehabilitation to help survivors deal with traumatic experiences.¹⁸¹ Additionally, art presents an alternative avenue to educate and create awareness of the residential school as a Canadian legacy.¹⁸²

In this chapter, I suggest that art can present an alternative view of Canada’s myth as a harmonious all-inclusive community thereby exposing its foundation on an understanding of self-enclosed sovereignty. In this sense, I am making a similar argument to that of Schaffer in her discussion of commemorative projects funded by the South African government. She argues that these projects rely “[...] on a ‘top-down’ politics of reconstruction for the nation that is often pragmatic in intention and hegemonic in effect”.¹⁸³ As mentioned earlier, Schaffer argues that commemorative projects tend to encourage a politics of sameness “[...] through a redemptive mission aimed at closing off the past for the sake of national unity”.¹⁸⁴ These commemorative projects are consequently homogenizing and result in further marginalization of vulnerable groups. She nevertheless acknowledges that the narratives of unity and cohesion can be disrupted by grass root initiatives and organizations that tell alternative narratives of past and present conflict.

Unlike Schaffer, however, I suggest that queer Indigenous art in response to reconciliation can interrupt and destabilize Canada’s myths. This is because the artworks I examine are not

¹⁷⁹ Canada, Truth and Reconciliation Commission of Canada, *Practicing Reconciliation: A collaborative study of Aboriginal art, resistance and cultural politics*, by Jonathan Dewar et al. (Kamloops: CiCAC Press, 2013) at 10.

¹⁸⁰ Leah Sandals “Art, Residential Schools & Reconciliation: Important Questions” *Canadian Art Magazine* (14 November 2013), online: <<http://canadianart.ca/features/2013/11/14/art-and-reconciliation/>>. Sandals is quoting Jonathan Dewar.

¹⁸¹ Canada, TRC, *Practicing Reconciliation*, *supra* note 179. See also Leah Sandals, *supra* note 180.

¹⁸² Sandals, *supra* note 180. Sandals is specifically quoting artist Dana Claxton here.

¹⁸³ Schaffer, *supra* note 84 at 89.

¹⁸⁴ *Ibid* at 92 and 89.

commemorative projects that are part of state-driven desires for reconstruction and unity. Done in parallel to state events and projects, this art presents an opportunity to reconsider Canada's reconciliatory framework. To this extent, Indigenous art is a form of politics, as Rifkin suggests, aimed towards addressing what remains unaddressed in representations of Canadian-Indigenous relations. I furthermore argue that Indigenous art in response to reconciliation could be considered as what Simpson refers to as sovereign articulation, since it disrupts portraits of function that dominate relations in the present.¹⁸⁵ By portraits of function, I am referring to settler representations of Indigenous-settler relations that support the political project of Indigenous dispossession and containment. The concept of portraits of function can extend to politics of reconciliation that paint a portrait of Canada as a whole and unified national political community. Such a portrait is functional insofar as it further resembles Rifkin's settler literalizations that determine structures of feeling. To continuously depict Canada as a unified national political community is to conceal persisting settler violence, and to control Indigenous experiences and opposition to the state.

The potential for Indigenous art to surface what has been concealed within the politics of reconciliation, and thus to interrupt narratives surrounding them, is a thought present within the arts community. Artists such as Steven Loft, David Garneau, Cathy Busby and Adrian Stimson all share similar criticisms of the TRC and Canada's approach to reconciliation. They contend that the TRC, in particular, dissuades individuals from expressing rage, presenting refusal, and demanding accountability.¹⁸⁶ Moreover, these artists maintain an anxiety about the display and appropriation of

¹⁸⁵ Sovereign articulation is not a phrase that Simpson uses directly. I use it in this project to refer to Simpson's argument that Indigenous sovereignty is enacted when Indigenous voices are used to tell narratives of themselves. In this sense, any (re)telling of a narrative through Indigenous voices is an articulation of sovereignty. I use the phrase portraits of function to refer to ethnographic representations of Indigeneity that were worked for the sake of control and dispossession. I want to propose that the way in which politics of reconciliation are represented as the working of a national identity of unity and harmony could be interpreted as a portrait of function insofar as it conceals the assimilationist tendencies of reconciliatory gestures.

¹⁸⁶ Canada, Truth and Reconciliation Commission, *Practicing Reconciliation*, *supra* note 179. Miranda J. Brady also addresses the confines the TRC places on the testimonial form within its public national events and thus encourages

pain, shame and guilt. They too are skeptical of how roles are distributed and of the general sincerity of the Canadian government in its reconciliatory efforts. Infusing their work with these criticisms implies that art should not simply commemorate but also disturb.¹⁸⁷ Ultimately, these artists present the way in which art can and should be *unsettling* of the reconciliation process.¹⁸⁸

This chapter centres on a performance and installation piece by Adrian Stimson, a member of the Siksika (Blackfoot) Nation. I chose to focus on Stimson's art because it presents a criticism of Canada's reconciliatory gestures that seek to realign the Indigenous individual with the Canadian state. Similarly, I maintain that the two pieces of analysis reflect the potential for artistic practices to interrupt narratives of closure and unity surrounding Canada's politics of reconciliation. However, I suggest that Stimson's art reveals the narrative of Canada as the immanent community. Additionally, his art can be read as exposing the mythic narrative Canada communicates about its identity as a unified national political community. To this extent, Stimson's art successfully disrupts the myth by surfacing the persistence of settler violence despite benevolent reconciliatory gestures. Stimson's art however does not fully relay how the mythic narratives told through contemporary representations of Indigenous-settler relations relate back to past representations that depict Canada as a harmonious national political community. In this regard, Stimson's art does not reflect how as a nation-building project, reconciliation presents a nostalgia for a lost community. Nevertheless, Stimson's art is still potent in its criticisms and successfully offers a space to reconsider Canada's politics of reconciliation.

particular survivor narratives. See Miranda J. Brady, "Media Practices and Painful Pasts: The Public Testimonial in Canada's Truth and Reconciliation Commission" (2013) 149 *Media Int'l Australia* 128.

¹⁸⁷ Dewar and Goto, *supra* note 170 at 8. Dewar and Goto are referencing Martha Minow here.

¹⁸⁸ Julia V. Emberley, *The Testimonial Uncanny: Indigenous Storytelling, Knowledge, and Reparative Practices* (New York: SUNY Press, 2014) at 6. Emberley focusses on the role of Indigenous storytelling as a form of testimony in response to traumatic and violent events. She argues that in their content and the forms they take (artistic ones included), storytelling as testimony unsettle our ability to connect or relate to another person's experience and trigger our analytical capacities to understand trauma and its trail of affect.

Adrian Stimson's *Sick and Tired* and *Buffalo Boy's Confessional: Indulgence*

Before becoming an artist Adrian Stimson was a band councillor for the Siksika (Blackfoot) Nation in Southern Alberta. In this role Stimson was first and foremost a politician.¹⁸⁹ Despite his movement towards art, Stimson never left politics behind. The political themes explored through his art are wide in scope. For example, Stimson has engaged with topics such as: war and the Canadian military, the environment, Indian Residential Schools and religion, colonialism and settler-violence, gender, sexuality and homophobia. For Stimson, it makes sense to blend art, education and politics as he finds the arts to be a gentler place to deal with difficult and painful issues such as residential schools, racism and homophobia.¹⁹⁰ Stimson's work is also expansive in form and medium. His creations include installation, painting, video, photography and performance.¹⁹¹ For the purpose of this chapter my analysis is centred on Stimson's *Sick and Tired* and *Buffalo Boy's Confessional: Indulgence*. Though they communicate different things in relation to Canada's colonial past and current practices of reconciliation, these pieces provide a powerful criticism of reconciliatory projects and an argument that they obscure persisting settler colonial violence. I maintain that Stimson's art exposes Canada's approach to reconciliation as domination masked as the working of a unified and harmonious national political community.

Stimson has a strong connection to Canada's legacy of residential schools as he and his family are entangled in its history.¹⁹² The different forms of pain and abuse that Stimson and his

¹⁸⁹ David Garneau, "Adrian Stimson: the Immortal Buffalo Boy" (2014) Art Gallery of Regina at 2. This is from a catalogue for the 2014 exhibition *Adrian Stimson: the Immortal Buffalo Boy* at the Art Gallery of Regina. David Garneau was curator.

¹⁹⁰ Lynne Bell "Buffalo Boy at Burning Man: Camp, Mourning and the Forgiving of History in The Work of Adrian Stimson," *Canadian Art Magazine* 24:2 (2007) 44 at 48. In this article Lynne Bell pulls direct quotes from her conversations with Stimson.

¹⁹¹ "Unmasking: Arthur Renwick, Adrian Stimson, Jeff Thomas," (7 September 2009), online: <<http://www.e-flux.com/announcements/unmasking-arthur-renwick-adrian-stimson-jeff-thomas/>>.

¹⁹² Adrian Stimson "Used and Abused" (2009) 15:3 *Humanities Research* 71 at 71 and 76. Stimson's father met his mother while working at Shingwauk Residential School, and like them he attended residential school, but as a day student. Additionally, the Stimson family had a close relationship with William Starr, one of the first to be charged and convicted on several counts of sexual assault on boys who attended the residential schools he worked in. Stimson's

family endured during the time of the Indian Residential School System still continues today as both he and his father have had difficulty with the Indian Residential Schools Settlement Agreement and the corresponding Common Experience Payment process.¹⁹³ As a result of this difficulty, Stimson remains skeptical and critical of the TRC and Canada's reconciliation efforts. This critical skepticism is clearly evident in his *Sick and Tired* and *Buffalo Boy's Confessional: Indulgence*, as are his feelings and understanding of the painful experience of the residential school. My discussion of Stimson begins with the installation *Sick and Tired* (see Figure 1).

Sick and Tired is one of three installations that make up Stimson's exhibit *Old Sun* that appeared at the TRUCK Gallery in Calgary, Alberta. Like the others in the exhibit, *Sick and Tired* is composed of recovered materials from the Old Sun Residential School.¹⁹⁴ Connected to the time and space of the residential school, these found objects play a major role in the piece. The connection is important to Stimson as he believes it gives the objects energies with them that speak to a history and a culture in the past and present.¹⁹⁵ *Sick and Tired* is composed of three windows and an old infirmary bed frame retrieved from the residential school. Each window is backlit and filled with feathers. The light shines through but is dimmed by the feathers. If there were figures or an image on the other side you would simply see a silhouette. The light shines brightest at the top and lessens as the bulk of the feathers rest at the bottom of each frame. The centre of the piece is the

father was close to Starr who eventually became Stimson's godfather. Understandably, the Stimson family were shocked and deeply hurt by the allegations against Starr and his conviction. To see more information on Starr's conviction see CED 4th, (online), *Residential Schools* "Residential Church School Scandal", online: <<http://www.thecanadianencyclopedia.ca/en/article/residential-church-school-scandal/>>. The article first appeared in Maclean's magazine on June 26, 2000.

¹⁹³ *Ibid* at 71-72. The Indian Residential School Settlement Agreement and the Common Experiences Payment process were addressed earlier in the introductory chapter. Stimson and his father present similar criticism to those discussed by Robyn Green. What's interesting about Stimson's discussion of his father's response to the IRSSA and CEP is how he compares it to the process Japanese Canadians went through in the settlement agreement. He points out that the Japanese Canadians did not have to go through an interview process like that of the CEP.

¹⁹⁴ Brendan Harrison "Stimson Seeks Truth and Reconciliation," *Fast Forward Weekly* (9 October 2008), online: <<http://www.ffwdweekly.com/api/content/a96df3a1-4b00-568a-8064-9a97452abc75/>>.

¹⁹⁵ Stimson, "Used and Abused", *supra* note 192 at 75.

old rusted metal infirmary bed. On it lies a bison robe wrapped up into the shape of a human. To some it may look like a sleeping figure, to others a tomb or corpse. The bed is illuminated from above and casts a crisp shadow below. It resembles the shadow of a stretched out bison hide sitting in the sun.¹⁹⁶ With the light fighting to shine through the windows, and the overhead light shining down on the bed, the play of light and dark, and the role of shadow becomes abundantly clear. This is especially so as the overall gallery space is dimmed only to be illuminated by the light in the installation. While you walk through the exhibition and engage with the installation, the sound of a shovel beating on the ground can be heard and runs as steady as a heartbeat or breathing.¹⁹⁷

Figure 1, Adrian Stimson, *Sick and Tired* in Old Sun exhibit (2008). Courtesy of Truck Gallery, Calgary, Alberta

¹⁹⁶ *Ibid.*

¹⁹⁷ Bell, "Buffalo Boy Testifies", *supra* note 64 at 88. I recognize that I have not experienced the physical exhibition and the gallery space itself and therefore it may seem problematic for me to include them here in my description. Nevertheless, considering the overall subject matter I feel that to discuss them and the role that they potentially play in the work's narrative is important and therefore cannot be excluded from my experience with the piece and what it says to me.

Sick and Tired is a visual representation of the Indigenous experience of the past and lasting violence of Canada's residential schools. As such, Stimson calls the piece an 'homage' to Canada's colonial history".¹⁹⁸ This description implies his recognition of the impact of Canada's colonial history on Indigenous identity both in the past and the present. This is also made evident by the additional description of the piece as an exploration of identity and cultural genocide.¹⁹⁹ The piece acknowledges that the lasting effects of Canada's colonial violence on Indigenous individuals and communities can neither be ignored nor left in the past. The sustained violence and its continuing effects is suggested by Stimson's use of the found material. With these objects Stimson carries the past and brings it into the present. As a result, Stimson reveals how past colonial violence is still grappled with today. Moreover, it exposes how the pain witnessed and suffered is part of who he is, and how this is something he will experience for the rest of his life.²⁰⁰

The cultural genocide that accompanied colonialism is reflected in the wrapped up bison fur laying on the infirmary bed. Invoking both the figure of the child and the bison, the cultural genocide can be interpreted in two ways. The first is through the human figure like shape of the wrapped bison fur. It is uncertain what this figure is supposed to be. It can be viewed as a child sleeping, or considering its mummy-like resemblance it can be viewed as a child lying dead. In its numerous interpretations, the figure also speaks to the reality of the spread of sickness and disease that came with confinement. Pointing to the legacy of illness, the infirmary bed presents Stimson's consideration of the number of children who lay sick, tired, dying or dead. Though the number of how many lay there are unknown, Stimson feels the heaviness of the legacy of illness that originated in the residential schools.²⁰¹ Additionally, I suggest the bed's presence in the piece is a prompting of his

¹⁹⁸ Stimson, "Used and Abused", *supra* note 192 at 75.

¹⁹⁹ *Ibid.*

²⁰⁰ Adrian Stimson, "Suffer Little Children," *Reconcile This!*, (2012) 46:2 West Coast Line #74 68 at 70.

²⁰¹ Stimson, "Used and Abused", *supra* note 192 at 75.

audience to feel the same heaviness. Ultimately, the infirmary bed presents the breaking and eventual death of children in residential schools. The second way that cultural genocide is reflected relates to Stimson's intentional use of bison fur in the piece. Stimson uses bison fur to draw attention to the bison's historical decimation.²⁰² The bison is central to Blackfoot being and way of life, as an icon and as food source. The bison, for Stimson, thus plays a major role in his life, as extinction had a devastating impact on Indigenous culture and being.²⁰³ Acknowledging its significant role, Stimson uses the bison fur to show the historical bison genocide as analogous to that of Indigenous people and their culture.²⁰⁴

While Stimson does not offer much on the role of the three window frames, I contend their being filled with the feathers is an equally powerful image. Referring to the windows, Stimson writes: "I can imagine many children peering out of these windows, longing to be home with their families".²⁰⁵ He does not address, however, the fact that to look out and through these windows is hindered, just as the view through the windows in the gallery space are obstructed by the feathers. This obstruction is key as it conveys the efforts of the residential school system to cut any lasting connection to family and culture the Indigenous child tries to hold on to. There is no looking elsewhere. In the dark space that is the residential school the Indigenous child is in utter isolation and confined to the darkness. Stimson emphasizes this isolation and confinement and links it to the colonial attempt to disappear Indigeneity and the Indigenous child. He likens this disappearing to being smothered to death by a pillow, hence his use of the feathers in the window.²⁰⁶ Though the image of being smothered to death presents a darker disempowering narrative, I suggest that the light at the top of the windows and

²⁰² *Ibid.*

²⁰³ Bell, "Buffalo Boy Testifies", *supra* note 64 at 91.

²⁰⁴ Stimson, "Used and Abused", *supra* note 192 at 75.

²⁰⁵ *Ibid.*

²⁰⁶ *Ibid.*

throughout the piece have the effect of a destabilization. I discuss the role of light further below, but here I want to propose that the light in the windows offers a narrative about resistance, or what Stimson calls resilience in response to the colonial efforts to kill the “Indian”.²⁰⁷

Feelings of confinement are also implied through the use of light throughout the installation. That is, the contrast between light and dark illustrate efforts to illuminate a history that has been forced to remain in the shadows. As discussed above, the play of light and dark can be seen in the windows as the feathers work against the light blocking it out. The struggle between light and dark is also present in the image of the bison figure on the bed, but here light succeeds. It succeeds insofar as it illuminates in the present the colonial violence that was concealed and confined in the past. Furthermore, the light shone on the bison fur casts a shadow that Stimson says resembles a stretched hide.²⁰⁸ In doing so, the overhead lighting works as a cultural representation highlighting the role of the bison in Indigenous culture and the colonial efforts to disappear the two together.²⁰⁹ Evidently, the use of light is crucial in *Sick and Tired* as it works to convey messages about Canada’s blatant efforts to suppress and confine Indigeneity, but also the attempt to keep this history in the dark. That is to say, with this installation

Stimson makes visible the public secret, or blind spot, in the structure of Canada’s colonial-settler society and its centennial discourses of modernity, progress and development; the residential school is a public secret both remembered and forgotten.²¹⁰

Or as Stimson explains, the piece simultaneously shows how the shadows of history haunt us and how illuminations of these shadows can enlighten and bring Indigeneity and Canada out of the

²⁰⁷ *Ibid.*

²⁰⁸ *Ibid.*

²⁰⁹ The bison and its fur are present throughout Stimson’s body of work. Stimson uses it as a symbol representing the destruction of aboriginal people’s way of life. Its use in this piece and others simultaneously gives presence to Blackfoot culture and its survival. See Stimson, “Used and Abused”, *supra* note 192; and Stimson, “Suffer Little Children”, *supra* note 200.

²¹⁰ Bell, “Buffalo Boy Testifies”, *supra* note 64 at 90.

shadows.²¹¹ By shining a light on the dark shadows of the past and present, Stimson exposes an Indigenous presence and opposition to the Canadian state.

Although *Sick and Tired* tells narratives of the pain Indigenous peoples suffered at the hands of the Canadian Government and Catholic church, it also uncovers Indigenous struggle against settler colonial violence. As a result, the piece does not only tell a story of victimization, but equally tells a story of refusal and resilience. Illuminating haunting shadows and revealing secrets about residential schools; Stimson presents a resistance through disruption. Using the tool of light, Stimson's art presents the demand to be seen and a refusal to be subsumed by the dark. Additionally, the use of bison fur to link the bison genocide and the cultural genocide experienced works as a form of cultural representation. The illuminated bison figure and the shadow it casts speaks of a culture and a tradition still alive and strong. In the end, there is a current of strength at the core of the installation *Sick and Tired*, as it tells "a story of resistance, survival, and resilience".²¹²

Sick and Tired was once intended to be part of the exhibitions for the first TRC national event in Winnipeg.²¹³ The piece was however eliminated from the exhibition, as the deciding committee found it to be too powerful.²¹⁴ Stimson explains that the committee was fearful that it would trigger too many bad memories for people in attendance.²¹⁵ The fact that the piece was rejected from a national TRC event, but now stands in a permanent collection, gives the installation an extra potency

²¹¹ Stimson, "Used and Abused", *supra* note 192 at 75.

²¹² Bell, "Buffalo Boy Testifies", *supra* note 64 at 91.

²¹³ The National Event took place in June, 2010.

²¹⁴ Stimson, "Suffer Little Children", *supra* note 200 at 75. See also Jonathan Dewar and Adrian Stimson, "Adrian Stimson: An Interview with Jonathan Dewar" in Gabrielle L'Hirondelle Hill and Sophie McCall eds, *The Land We Are: Writers and Artists Unsettle the Politics of Reconciliation* (Winnipeg: Arbeiter Ring Publishing, 2015) 185 at 196. Adrian Stimson notes that he was asked to have the piece included in the national event by curator Jaimie Isaac. However, Isaac was not responsible for its final acceptance, the piece had to go through another committee who eventually vetted it. Stimson does not identify who it was that officially told him no, but he does emphasize that in their correspondence Stimson stressed that in rejecting his art the committee was negating his experience. This echoes the controls the TRC is said to put on testimony (both oral and visual) mentioned earlier as discussed by Miranda J. Brady.

²¹⁵ *Ibid.*

in terms of it communicating resistance and resilience.²¹⁶ As a piece that was excluded from an official TRC event, *Sick and Tired* furthermore disrupts the unifying myths circulated within Canada's reconciliatory gestures. It is thus an example of the effects of the limits placed on and within Canada's projects of reconciliation. Myths of unification are also disrupted in some of Stimson's other work, which I now turn to.

Buffalo Boy's Confessional: Indulgence was part of a solo exhibition that took place at the Red Shift Art Gallery (see Figure 2).²¹⁷ The piece is a humorous restaging of the Catholic practice of confessional.²¹⁸ The focal point of the installation is a double-chambered outhouse. Each chamber is markedly different in style and appearance. One stall is simplistic with only a stone angel sitting on the edge of the toilet seat. In contrast, the other is grandiose and well decorated. It conjures up images of a baroque church with columns of red, yellow and white fabrics hanging from ceiling to floor. Included is a throne like seat with velvety fabric that sits over a bison hide. At the base of the toilet hangs a wooden carved bison head. Hanging on the wall is a gold framed mirror and, from above a rotating disco ball. The stall is adorned with religious baubles here and there.²¹⁹

²¹⁶ *Ibid.* The installation is now a part of the permanent collection at the Mackenzie Art Gallery in Regina, Saskatchewan.

²¹⁷ Bell, "Buffalo Boy Testifies", *supra* note 64 at 91. The Red Shift Gallery has since closed. It was a project that started in 2006, and ended in the fall of 2010.

²¹⁸ *Ibid* at 91-92.

²¹⁹ Most of this description comes from what Bell saw in the installation. I have added some additional notes based on what I experience in looking at the photograph Bell provides in her article.

Figure 2, Adrian Stimson, *Buffalo Boy's Confessional Indulgence*. Red Shift Gallery, Saskatoon, Saskatchewan. Courtesy of Lynne Bell.

On opening night of the exhibit, the installation was part of a performance with Stimson's alter-ego Buffalo Boy transforming it into a confessional (see Figure 3). A parody of Buffalo Bill, Buffalo Boy is an anti-colonial, gender-bending persona who appears adorned with bison fur, wearing a glitter cowboy hat, a string of pearls, a full face of make-up and fishnets with cowboy boots. In this performance, he enters wearing religious like robes made of bison, with orb and scepter in hand. He begins with a Latin prayer before entering his opulent confessional chamber. Viewers petition for indulgence and enter the confession with the stone angel where they stuff their confessions through a small glory hole fringed with buffalo fur.²²⁰ Buffalo Boy reads each of them aloud and in return

²²⁰ The petition for indulgence refers to those who seek penance in Catholicism. Audience members participated in the performance by asking for penance for their "sins". In other words they were to seek forgiveness for their wrongdoings. In response, Buffalo Boy grants them indulgence offering his "sinners" remission of the punishment of sin. See more on indulgence in the Catholic Church at Lawrence G. Duggan, "Indulgence" in *Encyclopedia Britannica*, November 2014, online: <<http://www.britannica.com/topic/indulgence>>. Dave Holmes et al. define glory hole as a circular opening, roughly 6–7 inches in diameter, cut into the wall at penis height between adjacent rooms. They can be found in bathhouses, saunas, and between the stalls of public toilets known colloquially in the gay community as 'cottages' or 'tea rooms'. Individuals on opposite sides of the wall have limited physical and visual contact with each other, while the hole allows direct contact with specific bodily organs that can be displayed through these openings and through which pleasure can be shared, bodily fluids exchanged. See Dave Holmes et. al. "Faceless sex: glory holes and sexual assemblages" (2010) 11:4 Nursing Philosophy, 250. Viewed online at: <<http://onlinelibrary.wiley.com.proxy.library.carleton.ca/doi/10.1111/j.1466-769X.2010.00452.x/full>>.

pushes a signed indulgence along with a sacral shot of vodka back through.²²¹ Having his audience members participate in the process of indulgence, Stimson is referencing the practices surrounding confession within the Catholic Church.

Figure 3, Adrian Stimson, *Buffalo Boy's Confessional Indulgence*. Red Shift Gallery, Saskatoon, Saskatchewan. Courtesy of Adrian Stimson.

Parodying the confessional and practice of indulgence, the installation and performance is a strong reminder of the role of Western European religions in Canada's colonial history as it points to the joint operation of residential schools by the Canadian government and various churches.²²² Moreover, the piece is a hard criticism of the ironic Catholic undertones of the reconciliatory efforts put forth by the TRC and Canadian government. That is, the piece presents Stimson's doubts about the testimonial structures of the government funded reconciliation projects and his overall skepticism

²²¹ Bell, "Buffalo Boy Testifies", *supra* note 64 at 92.

²²² Nagy, *supra* note 15 at 4.

of Western notions of 'healing'.²²³ For Stimson, and other critics of reconciliation, there are clear parallels between the Catholic practice of confession and indulgence, and today's TRC and other government offered projects. Artist and scholar David Garneau for instance notes how in a religious context, reconciliation is the reunion of a person to a church.²²⁴ In essence, it is a practice in which individuals receive pardon from God's mercy for the offense committed against him, and at the same time are reconciled with the Church which they have wounded by their sins through confession and indulgence.²²⁵ In the end, in sinning – or in the case of the residential school survivors, being sinned upon – the individual is separated from God and the Church, and only through telling their secret in the act of confession are the two reconciled. Crucial to Garneau's point is that Canada's reconciliatory process has clear Catholic underpinnings that "[ignore] pre-Catholic or pre-contact Aboriginal states".²²⁶ In short, the decolonizing work of reconciliation consequently maintains a colonial mindset and framework and thus is a form of domination.

Mocking the Catholic nature of reconciliation, Stimson further reveals how the sinning Canadian state escapes confession. Reflecting on his intentions with the piece, Stimson highlights how reconciliation in this sense is misleading. He states:

...In parodying the confessional and the indulgence, Buffalo Boy creates a space where questioning ideas of spirituality can happen...The recent Indian Residential School settlement process reminds him of the confessional process, yet in an odd reversal, through the common and independent review process, survivors relate their residential school experiences, a confession of sorts, in return a cash settlement is given, thus absolving the government and the church of their sins. Survivors are both confessor and absolver, as if it were that easy...For Buffalo Boy, *Confessional Indulgence* seeks to expose the shit, explore the outhouses of religion. It seeks to cleanse our need to seek and ask for absolution.²²⁷

²²³ Bell, "Buffalo Boy Testifies", *supra* note 64 at 91. See also Stimson, "Used and Abused", *supra* note 192 at 71.

²²⁴ David Garneau, "Imaginary Spaces of Conciliation and Reconciliation" (2012) 46:6 *Reconcile This! West Coast Line* #74 28 at 35.

²²⁵ *Ibid* at 35-36.

²²⁶ *Ibid*. Garneau's understanding of reconciliation as it relates to confession comes from www.vatican.va.

²²⁷ Bell, "Buffalo Boy Testifies", *supra* note 64 at 91.

On the whole the piece points out the double role that residential school survivors – firsthand and intergenerational – play in current processes of reconciliation. Together Stimson and Buffalo Boy reveal how the Indigenous individual takes on the pain of confession only to also act as absolver. In a twist, the confessor is not the sinner but the sinned upon; and to further the distortion, it is the Canadian government and Catholic Church who are absolved despite their lack of confession.

Drawing out the direct correlation between the testimonial-like structures of the TRC, the processes of monetary compensation, and the Catholic practice of confession and indulgence, Stimson's art forces his viewers to ask questions about reconciliation in Canada. Such questions include: who is presented as the guilty party? Who is the sinner in need of confession? Who is the absolved and who is the absolver? More importantly, the piece ask people to question the overall shape and form of the TRC and government-projects of reconciliation. Revealing the religious underpinnings of reconciliation, Stimson shows the audience the way in which government-funded projects of reconciliation in themselves tend to further colonial violence by enacting a reconciliatory project that is founded on the same religions forced upon children in residential schools. In doing so, the installation presents an overall failure to recognize the autonomy of the wronged in the reconciliatory process by presenting the TRC as the overarching path to reconciliation. Troubling the Catholic foundations of Canada's reconciliation project, Stimson calls for a recognition that reconciliation is a cultural concept which in the Canadian-Indigenous context does not respect the ideological and political differences of the communities and individuals asked to participate in its process.²²⁸ He therefore, forces his viewers to reconsider on whose terms does the TRC and Canada's reconciliation project act?

²²⁸ Rymhs, *supra* note 63 at 114.

Before discussing how Stimson's art disrupts the myth of a unified and inclusive Canada, I want to address an additional criticism that *Indulgence* presents. Stimson's alter-ego Buffalo Boy is a gender-bending trickster.²²⁹ It is through Buffalo Boy that Stimson tells a narrative of the Two-Spirit culture and its role in a re-telling of Canada's colonial history.²³⁰ Including a glory hole, a glitter disco hat, and an overall campy aesthetic in the piece, Stimson presents a refusal of the Catholic Church's persistent homophobia and prohibitions against active queer lifestyles.²³¹ More importantly, Buffalo Boy's two-spiritedness and the clear queering of the outhouse confessional does two things. Like the bison fur in the previously discussed, it stands as a representation of a culture that colonialism and the Catholic Church actively sought to disappear. Second, it testifies to difference and diversity in everyday life as it opens communities, both Indigenous and non-Indigenous, to other ways of being and ways of identifying.²³² In doing so, Stimson's art successfully reveals Two-Spirit culture as a tool for decolonization that resonate with themes within queer Indigenous studies. Specifically, Buffalo Boy's presence and his queer confessional outhouses exemplifies an alternative way of being that embraces the Two-Spirit hybridity, but also maintains the dismantling of the settler state as significant to decolonization. These themes are picked up further in the next chapter.

²²⁹ Gerald Vizenor refers to the trickster and the stories they tell as liberation. See Gerald Vizenor, *Manifest Manners: Postindian Warriors of Survivance*, (London: Wesleyan University Press, 1994). Vizenor writes, "tricksters are the translation of creation; the trickster creates the tribe in stories, and pronounces the moment of remembrance as the trace of liberation". Remembrance is present throughout Stimson's art both in the narrative he tells about residential school experience and in the way he draws out the catholic underpinnings of reconciliation. As such, his art is a disruption that simultaneously marks a remembrance and liberation.

²³⁰ Noam Gonick, Kent Monkman, Adrian Stimson "Contempo Abo: Two spirit in Aboriginal culture" *Canadian Dimensions* (2009), online: <<https://canadiandimension.com/articles/view/contempo-abo>>. This interview originally aired on Canadian Dimension's podcast Alert! Radio in April 2009.

²³¹ Bell, "Buffalo Boy Testifies", *supra* note 64 at 93.

²³² *Ibid.* See also Gonick et. al., *supra* note 230.

Exposing Canada's Immanentism

In light of the discussion above, it is evident that Stimson remains doubtful about Canada's government-funded reconciliatory projects. Of those that he has experienced, Stimson has found that they are suspect insofar as they are often unnecessarily cloaked in religious morals and externally focused rather than internally focused.²³³ For these reasons, he views Canada's approach to reconciliation as a 'healing industry' "[...] part of the Colonial Project, [and the] systemic approaches that continue to erode indigenous being".²³⁴ This criticism is largely felt in his artwork, which for Stimson is a resistance and destabilization of the current scene of reconciliation in Canada and its representations of Indigenous/non-Indigenous relations. Opposing aspects of Canada's methods, Stimson turns to artistic practices advocating for the potential of the art image or object to trigger a reorganization of the mind by creating a space for critical reflection on reconciliation processes.²³⁵ Likewise, I focus my discussion on the possibilities of Stimson's art to interrupt Canada's myth of community and highlight the colonial project that underpins current reconciliatory practices and the ways they are represented.

The artistic form as communication is crucial to Stimson's criticism. Through visual and performative practices, Stimson is participating in a form of expressive culture that has the ability to present the familiar in a new and unfamiliar way.²³⁶ This potential to interrupt the familiar is especially strong in Stimson's art as the use of a variety of mediums create and present an immersive sensory environment.²³⁷ Stimson's multi-sensory experience conveys an alternative narrative and experience of the Indian Residential School system and Canada's projects of reconciliation and reparation. This

²³³ Stimson, "Suffer Littler Children", *supra* note 200 at 70.

²³⁴ *Ibid.*

²³⁵ *Ibid.*

²³⁶ Bell, "Buffalo Boy Testifies", *supra* note 64 at 83-84.

²³⁷ *Ibid* at 84.

alternative narrative enables a questioning of what we know about the legacy of residential schools and the chosen course of reconciliation. Consequently, Stimson de-familiarizes the familiar, and demands that his viewers question Canada's apparently progressive approaches to reconciliation that have been accepted and willingly embraced. Though truth-telling is fundamental to the TRC mandate, Stimson's intentions are not oriented towards seeking absolute truth or accountability.²³⁸ Rather, his work is intended to *decolonize* knowledges. By *decolonize*, I am referring not simply to the importance of telling stories that have been silenced or the experiences that have been excluded from history. I am also referring to how Stimson's art has the potential to render a decolonization of the minds of his viewers through defamiliarization. Forcing them to question how certain knowledges are produced, Stimson's art also enables a questioning of how the confessional-like structures of the TRC and Canada's overall approach to reconciliation are presented as pathways to a stronger unified national political community. In other words, Stimson's art is a potential decolonization insofar as it exposes the problematic nature of Canada's approaches to reconciliation and reparation, and the narratives of inclusion and unity surrounding them. In short, he disrupts the functional self-portrait of Canada as a harmonious national political community. In this regard, Stimson art can further be interpreted as an interruption of what Rifkin refers to as settler literalizations.

On the whole, Stimson's art resembles the queer Indigenous creative practices discussed by Rifkin. Interrupting settler literalizations that depict Canada as benevolent, Stimson's art also destabilizes settler structures of feeling. This destabilization occurs through Stimson's exhibiting how, as a settler state, Canada operates in a manner that gives a particular meaning to reconciliatory gestures. This is because the two art pieces reveal the ways in which current projects of reconciliation simultaneously recognize past wrongs and obscure effects of ongoing forms of everyday and

²³⁸ *Ibid.*

structural violence. In doing so Stimson's art intimates the work of figuration by the Canadian settler state. It therefore points to the relationship between Canada's desired self-representation and how this affects alternative thought and action within approaches to reconciliation. Stimson's art thus draws attention to how the chosen path to right past wrongs is instead more constitutive of ongoing violence than not. In this respect Stimson's art could be thought of as making uncertain settler sovereignty by similarly disrupting Canada's functional self-portrait that detrimentally impacts Indigenous-settler relations.

Using artistic forms of expression Stimson represents reparation and reconciliation through a form of visual legality in order to shore up the mutual conditioning relationship between violence and reparation.²³⁹ In particular, the connection Stimson makes between truth-telling and Catholic confession illustrates how reconciliation has homogenizing tendencies that seek to erase the racialized other. Stimson's art therefore presents a similar argument to that of Carmela Murdocca. Like Murdocca, he questions Western European religious and liberal practices that structure Canada's reconciliation. Moreover, Stimson's art is critical of how through reconciliatory projects Canada is imagined as an inclusive and unified community; when in reality it is still assimilationist and exclusionary, and thus maintains its settler colonial violence. His art furthermore shows that the violence of residential schools has been carried over into our present day. This contemporary violence is additionally reminiscent to that of the residential school insofar as it was similarly grounded on beliefs of Indigenous culture as inferior and on the Indigenous individual as broken and in need of fixing. In the end, Stimson's art similarly shows how scenes and spaces of reparation distribute the conditions of the possibility for reparations in the service of Canadian nationalism.²⁴⁰

²³⁹ Murdocca, *supra* note 94 at 232.

²⁴⁰ For a similar argument see Rymhs, *supra* note 63. Rymhs questions the ideological underpinnings of public attempts at reconciliation and the interests they serve. She argues that reconciliation's function is strictly performative

Exhibiting the undercurrent of violence in Canada's reconciliatory framework, Stimson's *Sick and Tired* and *Buffalo Boy's Confessional* also shows Canada as an immanent community. That is, Stimson's art speaks of a Canadian community that has the "[...] desire to discover or rediscover a place [...] at once beyond social divisions".²⁴¹ To be beyond social division, however, has the tendency to disappear social distinction and difference. For Nancy, this is because the desire for a such a community results in a striving for *human community* that seeks to "[...] [achieve] a community of beings producing in essence their own essence as their work, and furthermore producing precisely this essence as community".²⁴² In the context of reconciliation, with its neoliberal and Catholic underpinnings, it is evident that Canada is actively working to produce its own essence as community. In this respect scenes of reconciliation are spaces in which liberalism and Catholicism are worked and moreover reproduced through the Indigenous individual in order to achieve a unified national political community.

Striving for *human community*, the Canadian community brought about through reconciliation and reparation is one of absolute immanence and absolute individualism that disappears Indigeneity. In its absolute immanence, the Canadian community and its majority groups erase relationality to that which is other as they seek to be "perfectly detached, distinct, and closed; they are being without relation".²⁴³ Taking this into consideration, within societies that are diverse in identities and social groups, that which is other is viewed as threatening to the project of achieving community. Consequently in order to maintain its immanence, the threatening other must be completely negated. With respect to Indigenous-settler relations in the Canadian context, it is the

insofar as it is actually a way for neoliberal Canada to reimagine and perform itself. That is, it functions less as a deconstruction of national master-narrative than as a reconstruction of one.

²⁴¹ Nancy, *The Inoperative Community*, *supra* note 31 at 1.

²⁴² *Ibid* at 2.

²⁴³ *Ibid* at 4.

Indigenous subject who is viewed as the threatening other and thus must be disappeared through the quasi-legal spaces of the TRC and reconciliation. Disappearing that which is other, Nancy's immanentism can similarly be interpreted as a striving for a shared pure social identity.²⁴⁴ This interpretation is particularly appropriate in the specific context of discourses of reconciliation as a nation-building project. Looking at processes of reconciliation as the construction of an immanent community through exclusionary and assimilationist approaches makes it all the more clear why for Nancy, striving for pure social identity is violent. It is violent because the other, as a threat to societal immanence or identity, must be eliminated. The immanent community, for Nancy, is thus a totalitarianism that suppresses community.²⁴⁵

While Stimson's artwork reveals Canada's immanentism, his work does not address how the working of a unified national identity is founded on a nostalgia for a lost harmonious sovereign community. I suggest then that, though his work successfully interrupts and destabilizes narratives of unity that circulate within reconciliation, Stimson's art does not present how these narratives refer back to past depictions of Canada's Indigenous-settler relations. For this reason his art does not illustrate how contemporary "reconciliation refers to the repair of an [imagined] previously existing harmonious relationship".²⁴⁶ Nevertheless, Stimson's art acts as a sovereign articulation as his Indigenous 'voice' presents alternative narratives of Indigenous relations within Canada. Additionally, if the two pieces are thought of in relation to one another, Stimson's art further reveals how the past representations of Indigenous subjectivity as inferior and broken that determined the development of the residential school system is similarly present in contemporary reconciliatory approaches. Together the pieces therefore critically reflect how past representations of Indigeneity determine

²⁴⁴ Devisch, *supra* 108 at 39.

²⁴⁵ *Ibid.*

²⁴⁶ Garneau, *supra* note 224 at 35.

contemporary political, legal and social Indigenous-settler relations. His art however, I contend, is less directed at drawing out how past representations of Canada as a harmonious community may influence current frameworks of reconciliation. It is for this reason why the project turns its focus to the work of Kent Monkman. Though I turn my attention to Monkman, I do not imply that his art has more to offer than Stimson's. My intention is not to say whose art is better, but rather to reflect on how together both artists reveal the potential for queer Indigenous art to interrupt Canada's politics of reconciliation.

A Shattered Reflection

Both independently and together the pieces discussed above have much to offer as sites of reflection in the context of Canada's reconciliation and Indigenous-settler relations. I use reflection not simply to imply careful (re)consideration, but also to imply that Stimson's art could be thought as mirroring back to his audience a particular image of reconciliation. Stimson's himself believes "artists are charged with the role within community [...] to mirror back what's going on so that the community can agree or disagree, or be confused [...]".²⁴⁷ With *Sick and Tired* and *Buffalo Boy's Confessional*, Stimson is successful in his role as an artist reflecting back to his viewers a potential reality occurring within Indigenous-settler relations.

As I have outlined in this chapter, Stimson's art exposes Canada's colonialist framework of reconciliation. In doing so, he reflects back not an image of Canada as a benevolent and inclusive society, but rather as a settler state disappearing Indigeneity and seeking to realign the racialized Other with Western Eurocentric ways of being. Consequently, Stimson's art further reveals how the settler colonial violence of the past has been carried into the present and has had a lasting impact

²⁴⁷ Dewar and Stimson, *supra* note 214 at 193.

on contemporary political, legal and social Indigenous-settler relations. Reflecting this image of Canada's reconciliatory framework, Stimson's art creates a space in which his viewers can question and reconsider current practices of reconciliation as a unifying and nation-building project. Stimson's art thus disrupts Canada's politics of reconciliation by interrupting Canada's figuration of its benevolent identity which further destabilizes the desirability of a return to wholeness within the national political community. This in turn works as an Indigenous sovereign articulation that has the potential effect of making settler sovereignty uncertain.

CHAPTER 3: MISS CHIEF'S INTERRUPTION

Trickster Miss Chief

Of Swampy Cree, English and Irish descent, Kent Monkman is a Toronto-based artist. He works in multiple mediums including painting, performance, installation and filmmaking. Monkman is well known for his work that mimics romantic nineteenth century North American art that depicted sublime landscapes and romanticized the idea of the noble savage.²⁴⁸ Though Monkman mimics these historical paintings, his art is not an assimilation nor does it praise the romantic tradition.²⁴⁹ Rather, his work is a subversive appropriation of romantic conventions, as he uses the nineteenth century aesthetic to “playfully insert scenes of sex and violence between Europeans and First Nations”.²⁵⁰ The satirical nature of Monkman’s art allows him (and his audience) to “[question] the accuracy of representations of Indigenous peoples as noble savages and as an ultimately vanished, if not dying race”.²⁵¹ Monkman’s deconstruction of nineteenth century perceptions and representations of Indigeneity materialize through the insertion of his alter ego Miss Chief Eagle Share Testickle, a Two-Spirit trickster.

The Two-Spirit trickster is a subversive character who appears in the narratives of many Indigenous cultures. The trickster has a double function. First, the trickster

disrupts convention, does the wrong thing, [misbehaves] [...] and at the same time clarifies social norms by blatantly transgressing them [...] [They] are free of the governing rules of society and [are] always challenging authority. [The] trickster is unbound by the rules of time and [space].²⁵²

²⁴⁸ Shirley J. Madill, “Intelligent Mischief: The Paintings of Kent Monkman” *The Triumph of Miss Chief: Kent Monkman* (Hamilton: ABC Art Books Canada Distribution, 2008) 25 at 25.

²⁴⁹ Russel Bingham, “Kent Monkman” in *The Canadian Encyclopedia* (4 March 2015), online: <<http://www.thecanadianencyclopedia.ca/en/article/kent-monkman/>>.

²⁵⁰ Madill, *supra* note 248 at 25.

²⁵¹ Tina Majowski “Gypsies, tramps, half Indian, all queer, and Cher: Kent Monkman defining indigeneity through Indian simulation and accumulation” Nancy J. Blomberg ed, *Action and Agency: Advancing the Dialogue on Native Performance Art*, ed. Nancy J. Blomberg (Denver: Denver Art Museum, 2010) 104 at 104.

²⁵² Drouin-Brisebois, *supra* note 67 at 58. Drouin-Brisebois obtained this definition from Richard William Hill’s article “Drag Racing: Dressing Up (and messing up) White in Contemporary First Nations Art” in a 2001 issue of Fuse Magazine.

A rule breaker, the trickster is also a figure that blurs boundaries. They are gender ambiguous moving between male and female characteristics, and also shift from human to non-human. Gerald Vizenor refers to them as “characters that liberate the mind and never reach closure”.²⁵³ As an agent of liberation and change, Miss Chief’s subversive presence in Monkman’s art has an interrupting effect. Blurring boundaries, and demanding a re-thinking of historical representations of North America and Indigeneity, Miss Chief and Monkman not only expose Canada’s myth as the harmonious whole, but also offer an alternative thinking of the self-enclosed autonomous subject. Monkman’s interruption can be seen specifically in the performance *Taxonomy of the European Male* and the installation *Boudoir de Berdashe*.

Kent Monkman’s *Taxonomy of the European Male* and *Boudoir de Berdashe*

Performed in 2005 at the Compton Verney art gallery in Warwickshire, UK, *Taxonomy of the European Male* was a part of *The American West* exhibition curated by Jimmie Durham and Richard William Hill. Both curators are critical of the myths arising out of European expansion across North America. For this reason the exhibition was intended to be an “Indian attack” on the mythology of the American West. The mythology was represented in nineteenth century art and literature, which depicted scenes of empty sublime landscapes and the dying ‘Indian’.²⁵⁴ Monkman’s performance is precisely an attack on the myth of the West as it is a satirical mimicking of the work of George Catlin, a nineteenth century painter and author.

²⁵³ Vizenor, *supra* note 229 at 15 and 89.

²⁵⁴ Richard W. Hill. “Kent Monkman’s Constitutional Amendments: Time and Uncanny Objects” in Michèle Thériault, Galerie Leonard and Bina Ellen Art Gallery ed, *Interpellations: Three Essays on Kent Monkman* (Montreal: Concordia University, 2011) 49 at 50. For more information on the exhibition, see also Morgan Falconer “The American West” *Frieze* (4 October 2005), online: <http://www.frieze.com/issue/review/the_american_west/>.

Catlin's work focused on the Indigenous peoples, culture and traditions he encountered and witnessed throughout his exploration of the pure and 'untouched' West. Catlin is considered by some to respectfully portray the Indians in their territories and to present them as fellow human beings rather than as savages.²⁵⁵ Many Indigenous and non-Indigenous artists and activists like Monkman, however, are critical of Catlin's work. Much of Monkman's art is dedicated to criticizing Catlin's over romanticized image of the noble savage and furthermore asks its viewers to reconsider the acceptance of Catlin's work as a factual official documentation of First Nations culture.²⁵⁶ This criticism is present in *Taxonomy* through Monkman's use of appropriation, role reversal and hybridity.

The performance begins with Miss Chief arriving on horseback, dressed in one of her famous outfits with white feathered headdress, white platform stiletto heels, white beaded breast plate and a Hudson Bay breechcloth (See Figure 4).²⁵⁷ Upon arrival, Miss Chief spots two iconic Western tricksters in the distance – Robin Hood and Friar Tuck.²⁵⁸ Together they engage in a competition of bows and arrows. After showing off her skills, Miss Chief leads Robin Hood and Friar Tuck into her gallery (Compton Verney). Inside Robin Hood sits down to play the harpsichord while Friar Tuck models for Miss Chief. Between demanding Robin Hood to perform, painting Friar Tuck and making notes on him, Miss Chief explains to her audience the inspirations for her travels and findings. The good behaviour of Robin Hood and Friar Tuck takes a turn for the worse when they follow Miss Chief behind a curtain. Sounds of struggle are heard by the audience and soon afterward they see that

²⁵⁵ Bruce Watson, "George Catlin's Obsession," *Smithsonian Magazine* (December 2002), online: <<http://www.smithsonianmag.com/arts-culture/george-catlins-obsession-72840046/?no-ist=&page=1>>.

²⁵⁶ Madill, *supra* note 248 at 25. Another reason why Monkman focuses on Catlin is because Catlin's writings and art included detailed encounters with the Berdashe and the Dandy (Indigenous males who dressed and lived as women).

²⁵⁷ The breechcloth, also known as a loincloth, is a piece of material tucked into a belt to cover the front and back areas of the male body.

²⁵⁸ Kent Monkman, *Taxonomy of the European Male*, 2005, DVD (Toronto: Vtape, 2005). As mentioned the original performance took place in 2005 in the UK. Vtape is a distribution organization that represents an international collection of contemporary and historical video art and media works by artists. The collection is accessible to curators and programmers, educators, scholars and the public.

Robin Hood and Friar Tuck have robbed Miss Chief after she has let her guard down.²⁵⁹ The last thing the audience sees of the performance is a distraught Miss Chief chasing after both Friar Tuck (who has put on her headdress) and Robin Hood who is riding away on her horse.

Figure 4, Kent Monkman, *Taxonomy of the European Male*, Performance, 2005, Compton Verney, Warwickshire, UK. Photo courtesy of John Batten.

Miss Chief's speech throughout the performance plays a large role in the piece's overall critical potency. The speech is significant not just in its content but also in tone and context. It is also one of the main ways in which Monkman plays with appropriation as he directly draws on the words of Catlin. Miss Chief even at times directly quotes Catlin's writings on the 'Indian'. She however flips Catlin's words so that it is she who describes the European male, as opposed to the European describing the Indian. The words so closely resemble those of Catlin's that it becomes apparent that Miss Chief appropriates his voice as her own. In this excerpt Miss Chief professes:

[...] I have become accustomed to meeting many fine specimens [...] But alas, in North America the face of the white man is changing: all traces of his former self are being altered through contact with the red man, and those who wish to study the splendour of the European male in his original state must travel far and wide to find him. Thus, it has become my undertaking to record all manner of his customs and practices before they are obliterated completely [...] The history and customs of such a people, preserved by pictorial illustration, are themes worthy of a life time of one artist, and nothing short of the loss of my life, shall prevent me from knowing them (very very intimately of course) and becoming their historian. I

²⁵⁹ *Ibid.*

never romanticize my subjects [...] From what I have seen so far of these people I feel authorized to say that there is nothing very strange or unaccountable in their character, but that it is a simple one and easy to be learned and understood [...] I have for many years contemplated the race of the white man who are now spread over these trackless forests and boundless prairies, and I have flown to their rescue, that, phoenix-like, they may rise from the stain on a painters palette and live forever with me on my canvas.²⁶⁰

The significance of Miss Chief's words pertains to their reflecting similar language and thinking found in Catlin's writings.

Read in comparison to the writings of Catlin, it appears that Miss Chief's words echo his. They imply a mimicking of Catlin's colonial gaze that is evident in his often contradictory writings on the 'Indian'. Catlin's writings were contradictory insofar as they were simultaneously respectful but also fetishizing of a people and a culture. In addition, Miss Chief's words parallel Catlin's implied desire to preserve the culture of a dying race, which is a common thread throughout Catlin's *Letters and Notes on the Manners, Customs, and Condition of the North American Indian*. In his writings Catlin promises that "nothing short of the loss of [his] life, shall prevent [him] from visiting [Indians'] country and becoming their historian".²⁶¹ Note how Miss Chief draws on these words directly. Furthermore, throughout the pages of *Letters and Notes*, Catlin continuously suggests the unavoidable extinction of such a "noble race". Catlin saw the Indigenous as "lost to the world", "doomed [to] perish," or as "rapidly passing away from the face of the earth".²⁶² Accepting the inescapable disappearance, Catlin's writings also expose how he took it upon himself not only to visually represent the Indigenous, but to "herald the Indian and his dying customs to posterity".²⁶³ More specifically, he saw himself as "[flying] to their rescue" and even presented the American

²⁶⁰ Kent Monkman, "Taxonomy of the European Male" in Jean O'Hara ed, *Two-Spirit Acts: Queer Indigenous Performances* (Toronto: Playwrights Canada Press, 2013) 49.

²⁶¹ George Catlin, *Letters and Notes on the Manners, Customs, and Condition of the North American Indian Vol. 1. 1841*, (New York: Dover Publications, 1973) at 3.

²⁶² *Ibid* at 15-16 and 3.

²⁶³ *Ibid* at 103.

government as saving them through civilization and Christianity.²⁶⁴ Catlin goes as far to suggest a national park dedicated to “Indian preservation”, stating:

What a splendid contemplation it would be, by some great protecting policy of our government, to preserve them in their pristine beauty and wildness, in a *magnificent park*, where the world could see them for ages to come. What a beautiful specimen for America to preserve and hold up to view of her refined citizens and the world, in future ages! A *National Park*, containing man and beast, in all the wild freshness of their native beauty! I would ask no other monument to my memory, than the founder of such an institution.²⁶⁵

Parallels can easily be drawn between the words of Miss Chief and Catlin. More importantly, Miss Chief’s twisting of Catlin’s words shows how her performance is not simply a mimicry but also a parody as she imitates him in a destabilizing manner that reverses the colonial gaze.

Furthermore, thinking of Miss Chief’s and Catlin’s words together allows Monkman’s audience to question the fame and acceptance of Catlin’s work. Miss Chief’s simultaneous mimesis and parody is subversive of Catlin’s colonial representations of Indigenous communities and cultures. Specifically, Miss Chief’s words show how Catlin’s writings are laughable insofar as they consist of reductive generalizations. This is especially apparent as Miss Chief’s performance presents the paradoxical nature of Catlin’s words and views on the ‘Indian’. Catlin is revealed as paradoxical through Miss Chief’s emphasis on his language that is boastful of his authentic representations, respect for the Indian and the usefulness of his work to generations to come. This ‘respect’ and ‘value’ is counteracted by his repeated emphasis on the disappearance and inevitable erasure from earth. Ultimately, Miss Chief’s satirical performance is a mimesis that introduces Monkman’s audience to a destabilization that disrupts the ability to seriously accept Catlin’s original writings and famed recognition.²⁶⁶

²⁶⁴ *Ibid* at 2, 16, 184, 225.

²⁶⁵ *Ibid* at 261-262.

²⁶⁶ R. W. Hill, *supra* note 254 at 51.

Role reversal is at play throughout the entire performance. It is first visible in the ways Miss Chief casts her gaze on to Robin Hood and Friar Tuck thus presenting herself as the superior who is in control and extremely demanding of her *specimens*. It is hinted at again, however, when Robin Hood and Friar Tuck rob Miss Chief of her belongings. These multiple role reversals, where one moment Miss Chief is in control and the next she is not, makes it so that neither she nor her 'models' can be distinctly classified as either dominant or submissive. Neither can be determined as clearly honourable or loutish, observed or observer, or as colonizer and colonized. Both Miss Chief and her 'models' embody their trickster nature blurring boundaries and breaking the rule of the binary.²⁶⁷ Having Miss Chief, Robin Hood and Friar Tuck cutting across boundaries, and moving in and out of potential identities, Monkman puts forth the critical and powerful potential of hybridity that challenges monolithic notions of authenticity and purity with respect to identity.²⁶⁸ Hybridity "[...] is a place of contact and confluence wherein meanings, [and] identities [...] bump against one another; they intersect and reverberate against and through each other".²⁶⁹ Conceptualized in this way, hybridity implies a recognition of how differing and opposing identities interact and converge.

The role reversal and hybridity presents an overall questioning of the existence of an all-encompassing and unified identity. Monkman's questionings of this existence is indicated in his exposition of the mutual influencing between both Indigenous and European identities/cultures. This mutual influencing is apparent in the piece's blurred lines between colonizer and colonized, dominant and submissive, and Indigenous and European. According to Jonathan D. Katz, these blurred categories show how "[...] contact between Aboriginals and Europeans left both populations

²⁶⁷ Jonathan D. Katz, "Miss Chief is Always Interested in the Latest European Fashions," in Michèle Thériault, Galerie Leonard and Bina Ellen Art Gallery ed, *Interpellations: Three Essays on Kent Monkman* (Montreal: Concordia University, 2011) 15 at 21

²⁶⁸ Scott Rayter, "Introduction" in Maureen Fitzgerald and Scott Rayter eds, *Queerly Canadian: An Introductory Reader in Sexuality Studies*, (Toronto: Canadian Scholar's Press Inc., 2012) xv at xxv.

²⁶⁹ Majowski, *supra* note 251 at 106.

fundamentally changed, and that exchange has been going on for years”.²⁷⁰ Ultimately, Monkman’s art speaks to the networks of impression that Rifkin pulls from queer Indigenous literature as it illustrates individual identity as in relation to collectivity. In other words a subject’s personhood is deeply connected to peoplehood. In this regard, Monkman “[...] reclaims a worldview that has been suppressed, from both sides, by centuries of colonial rule”.²⁷¹ Together Miss Chief and Monkman give presence and strength to the Indigeneity that influenced the colonizer’s being and identity. However, the constant role reversal also implies the impact the colonizer had on Indigenous identity. On the whole the constant shifting of roles between the figures of the piece demonstrates identity as an “[always] open, complex and unfinished game”.²⁷² As a result, Monkman’s art presents a hybridity akin to Muñoz’s as it is an adamant refusal to adhere to stable classifiable identity categories.²⁷³

In the end, the queer hybridity in *Taxonomy* is a disidentification that exemplifies the themes of queer Indigenous scholarship. The failure of identification throughout the piece displays identifications that neither assimilate nor completely isolate themselves from dominant forms.²⁷⁴ The role reversals of Miss Chief, for instance, shows a recognition of the impact European contact had on Indigeneity, but her overall destabilizing effect reveals a sustained opposition to settler colonialism. To this extent, Monkman’s art is an example of the embrace of queer anti-normative formations of the subject that does not disappear Indigeneity.²⁷⁵ Furthermore, it is one that maintains this identification and the significance of struggles to dismantle the settler state. The decolonizing effects of the piece are made evident by Monkman’s overall mimesis of nineteenth century

²⁷⁰ Katz, *supra* note 267 at 19.

²⁷¹ Swanson, *supra* note 65 at 571.

²⁷² Madill, *supra* note 248 at 30.

²⁷³ See Katz, *supra* note 267 at 19. The refusal to present a stable category of Indigenous identity is crucial to efforts of decolonization. For Katz, this is because the terms deployed to name oneself came from violent classificatory systems that mobilized the ‘Aboriginal’ as figures a dominant class sought to define itself against. Katz’s thinking is similar to Simpson’s discussion on portraits of function that sought to disempower the Indigenous individual.

²⁷⁴ Disidentification is also described as a failure to identify. See Muñoz, *supra* note 104 at 11.

²⁷⁵ Majowski, *supra* note 251 at 115.

representations of the 'Indian' and North American landscape.²⁷⁶ Monkman takes on these representations that were "[...] originally meant to convey an image of North America as empty prior to European settlement [and] recasts it as [...] fraught [with] contact, struggle, and desire between populations too often simplistically opposed".²⁷⁷ Refiguring these representations Monkman's art cautions against (re)defining and (re)describing the visible according to any singular vision. This is a theme also present in his piece *Boudoir de Berdashe*.

A part of the travelling exhibition *Triumph of Miss Chief, Boudoir de Berdashe* most recently appeared in the 2013 *Sakahàn: International Indigenous Art* exhibition.²⁷⁸ To reiterate, Monkman works in a variety of mediums and this installation centres on his 2007 short film *Shooting Geronimo*. The film is a commentary on the colonial gaze of cinematography and the nineteenth century visual representational field laid out by figures such as Edward S. Curtis.²⁷⁹ The film is thus a critique of colonial photography and film that blurs the lines between scientific evidence and studio restaging for the purpose of voyeuristic pleasure.²⁸⁰ Ultimately, Monkman's film acts as a subversion of what was taken as scientific evidence and as factual visual documentation of Indigenous peoples and cultures. Moreover, it is an interruption of the damaging fabricated stereotypes of Indigenous performance. I turn to *Shooting Geronimo* later, analyzing its subversive and interrupting nature, but first discuss the larger installation.

²⁷⁶ I want to note here that by landscape I am not only referring to the physical natural landscape, but also to the social landscape that tries to place individuals under certain categories and identities, and therefore different visibilities.

²⁷⁷ Katz, *supra* note 267 at 17-18.

²⁷⁸ *Sakahàn: International Indigenous Art* exhibition took place at the National Gallery of Canada, Ottawa, Ontario, in 2013.

²⁷⁹ David Liss, "Kent Monkman: The Wild West Lives Again" *The Triumph of Miss Chief: Kent Monkman*. (Hamilton: ABC Art Books Canada Distribution, 2008) 103 at 105. Edward S. Curtis was often accused of manipulating his photographs and films of Indigenous peoples and was even said to pay his subjects to pose and dress in costumes that he provided.

²⁸⁰ David McIntosh, "Miss Chief Eagle Testickle, Postindian Diva Warrior, in the Shadowy Hall of Mirrors" *The Triumph of Miss Chief: Kent Monkman* (Hamilton: ABC Art Books Canada Distribution, 2008) 31 at 38.

Boudoir de Berdashe consists of a large luxurious teepee that reaches up toward the ceiling. Its exterior is made up of an elaborately detailed pink brocade fabric and its interior walls are lined in a red satin (See Figure 5). At the centre of the teepee is a divan with a similar red brocade fabric. On top lies a folded Hudson's Bay Company wool blanket and a Louis Vuitton birch-bark clutch. The divan is sitting on top of a bearskin rug and is surrounded by a matching set of Louis Vuitton birch-bark luggage. On the floor is a pair of beaded red platform shoes that appear as though they have just been kicked off.²⁸¹ Hanging above is a chandelier. On the walls of the teepee are two large flat screen panels that sit side by side in a fashion similar to that of a nineteenth century stereoscope.²⁸² Walking into the tipi it feels as though you are entering the private parlour of Miss Chief. With her possession strewn about, you get the sense that you've just missed her, as you can feel her presence though she is nowhere to be seen. It is only once you begin to watch *Shooting Geronimo* you realize where she has travelled off to.²⁸³

²⁸¹ *Ibid* at 42. It must be noted that the beaded heels do not appear in any of the photograph provided. I included them in the description because they were part of my experience of the installation when I saw it at the *Sakahàn* exhibition in 2013.

²⁸² *Ibid* at 43. A stereoscope is a device for viewing a pair of two separate images. It mimics a left-eye and right-eye view of the same scene, in order to produce an all-encompassing image. Drawing a comparison between the split images of a stereoscope and the flat screens in Monkman's work reveals how the film and it's double screening presents a more all-encompassing or rather an all access view of the film and how it was put together.

²⁸³ Again, the description of what the installation feels like is from my own experience of it.

Figure 5, Kent Monkman, *Boudoir de Berdashe*, Installation, 2007. Photo courtesy of Walter Willems.

Shooting Geronimo is reminiscent of a nineteenth century silent-era Western (See Figure 6). Presented on the two screens, it is framed as the making of a faux Western within a movie. The film's focus is the work of a lascivious white-hair filmmaker who's introduced to the audience as Frederick Curtis.²⁸⁴ Curtis is with two young and muscular Indigenous actors – Johnny Silvercloud and Blake Tenderfoot – who he costumes in wigs and loincloths. With shots of a treasure chest, it is clear that Curtis has promised great wealth to his actors if they do as he wishes. Curtis directs his actors to perform as “fierce renegades” in front of a large painted backdrop of the Arizona desert.²⁸⁵ The split screens occasionally show the same images, however they most often present two separate

²⁸⁴ Liss, *supra* note 279. Monkman's use of the name Fredrick Curtis is a direct reference to Edward S. Curtis (mentioned earlier) who is known for using mirrors and other techniques to stage, crop and alter his “scientific” visual documentation of Indians.

²⁸⁵ *Ibid.* The film set is actually an amusement park called Docville Wild West Park just outside of Toronto.

perspectives of the same moments. One screen shows the film from the camera's point of view; that is, as a typical movie. Meanwhile, the second screen shows the 'making of' point of view, revealing the film as a movie about the production of Curtis's other set of films including: *The Red Menace* and *The Ghost Dance of the American Indian*. Exposing the behind-the-scenes perspective, *Shooting Geronimo* is also a film that deconstructs the trick of cinematic suspension of disbelief.²⁸⁶ That is, Monkman's film interrupts the accepted factual representation of the "Indian" by unmasking and uncovering the ways in which nineteenth century Western films put forward staged and manipulated notions of the authentic Indian.

Figure 6, Kent Monkman, *Shooting Geronimo*, 2007. Film Distributed by: Vtape.

Swaggering out of a saloon in her platform heels, Miss Chief enters the film wearing a fringed breechcloth, dream-catcher bra and white feather headdress. Miss Chief watches Curtis and his two actors. She witnesses Curtis browbeating one of his actors Johnny Silvercloud – who appears resistant – into performing his historical recreation of Geronimo as “The Red Menace” for the camera. Angered by this scene Miss Chief pulls an arrow out from her Louis Vuitton birch bark quiver and

²⁸⁶ McIntosh, *supra* note 280 at 43.

shoots it into Curtis's camera. Her magic takes effect and the camera begins to malfunction and runs on its own. In frustration, Curtis calls on his other actor Blake Tenderfoot to play the role. Both actors become angry and try to depart. While Curtis convinces them to stay, an 'invisible' Miss Chief shoots another arrow into the camera. The two actors return to set dressed in costumes that Curtis has provided for them.²⁸⁷ There is a close-up of Curtis licking his lips in approval. The film then cuts to Miss Chief dancing through the set behind Curtis's back. She does flips and cartwheels and encourages the actors to do the same. Under the influence of Miss Chief, the actors begin a dance that resembles the athletic mix of capoeira, gymnastics and breakdancing, and the scene transforms into another film titled "The Ghost Dance of the American Indian".²⁸⁸

Encouraging Curtis's actors to "misbehave", Miss Chief takes control of the set. In the meantime, a clearly distraught and frustrated Curtis disappears behind the desert painted backdrop only to return in a wig similar to those worn by his misbehaving actors. In a role reversal Curtis demonstrates the Geronimo that he wants his actors to perform. He acts out a "cowboy-shoots-Indian" scene by placing a pistol in the hands of one of his performers and gets his actors to shoot Curtis as the Indian. The pistol turns out to be loaded and Curtis is shot dead by one of his own performers. To cover up, the actors shoot yet another film called "Dead Man's Tale" and cast Curtis in the role of Colonel Custer which absolves them of any responsibility for his death. The two actors walk off set as lovers arm and arm, and Miss Chief is seen picking up Curtis's body and riding off set with him on horseback.²⁸⁹

²⁸⁷ Costumes play a major role throughout Monkman's art. The juxtaposition between the initial attire worn by the actors and the costume Curtis gives them points to colonial desires for the 'authentic Indian'. Miss Chief's own attire offers an additional juxtaposition that disrupts Indigenous stereotypes of authenticity.

²⁸⁸ McIntosh, *supra* note 280 at 38. This new film is a direct reference to one dated from 1894 that depicts dancers from Buffalo Bill's Wild West Show shot in Thomas Edison's studies. The film was entitled "Sioux Ghost Dance".

²⁸⁹ *Ibid.*

Time and invisibility play a significant role in both the teepee instillation and the film *Shooting Geronimo*. As discussed, when you enter Miss Chief's private quarters the fashion in which her possessions are scattered about make her presence known. Though she herself is absent, she is felt. It is as though she has just popped out and you (as the viewer) have just missed her. It is only on the screen in the film that viewers catch a glimpse of her. Her presence in the film forces viewers to question whether they are simply watching a movie that she stars in or if, as a trickster, she has magically travelled through time to the *when* and *where* of the film. Miss Chief's trickster magic becomes all the more apparent when the viewer realizes that her presence in the film is never fully known but nonetheless felt. Throughout the film she remains invisible to Curtis and the actors, only having her presence felt through her havoc wreaking magic. Using the split screen tactic Monkman allows his viewers to see Miss Chief acting as a mysterious ghost-like force. With a ghost-like nature, Miss Chief sits in the state of the in-between. She is both present and absent, visible and invisible, known and unknown. Being in-between, Miss Chief has a destabilizing effect similar to that discussed in relation to hybridity earlier. In the in-between, Miss Chief has enough presence to be disruptive, but she escapes before she can be fully comprehended. She is thus provocative but disappears refusing to be known, consumed and controlled.

Miss Chief's ability to escape before becoming known allows her to take on the role of story-teller (re)telling the narratives of the past as she pleases. As David McIntosh explains, it enables a self-visibilization of Miss Chief as the story-teller of her own shadow remembrances".²⁹⁰ Monkman and Miss Chief in this sense (re)write their own histories as invisibility works in accordance with an unveiling of the cinematic experience. Together they present frames within frames offering layers of perspectives. Doing this, Miss Chief and Monkman subvert and interrupt narratives of Indigenous

²⁹⁰ *Ibid.*

cultures as told by nineteenth century visual representations. Monkman's subversion is made possible by the time travelling Miss Chief who brings the present to the past. The play with the temporal in Monkman's art demonstrates an example of Simpson's interruption of past ethnographic representations of Indigeneity through Indigenous (re)representation and narrative.

The significance of the temporal goes beyond a revisiting of the past toward a complete blurring of the lines between past and present. The temporal confusion is at work in Miss Chief's hybridized objects which include the Hudson Bay Company's accessories, Louis Vuitton luggage and Louis Vuitton quiver:

The hybrid fetish objects merge modern symbols of luxury and wealth with 'authentic' First Nations artifacts – the kind collected and displayed in ethnographic museums. In this sense the Boudoir evokes a strange type of museum diorama relation both to the past and present.²⁹¹

These objects shed light on the role played by colonialism and settlement in the present economic wealth of both North America and Europe. More importantly, the pieces highlight both the past and present colonial commodification and appropriation of Indigenous culture. The objects therefore act as a remembering that resembles Vizenor's *survivance*. As such, Miss Chief's possessions offer a message about survival and endurance despite colonial violence. They offer an anti-colonial story of the renunciation of dominance, tragedy and victimry.²⁹² They maintain a presence of the violence only to further subvert it and resist similar narratives. To this extent,

the [...] accessories indicate that [Miss Chief] has moved beyond her commodification, but has maintained her past knowledge of [its] legacy, again demonstrating the transformative power of hybridity as a tool for agency, affirmation and power.²⁹³

²⁹¹ Madill, *supra* note 248 at 56. Both Louis Vuitton and Hudson's Bay Company have their history founded in colonial exploration, and Miss Chief's hybridized possessions shed light on the role played by colonialism and settlement in the present economic wealth of both North America and Europe.

²⁹² Vizenor, *supra* note 229.

²⁹³ Swanson, *supra* note 65 at 568.

The potential for hybridity as survivance is further understood when Monkman's use of role reversal in his art is considered. The temporal aspects of the hybridized objects additionally present a role reversal that enables the viewer to question if Miss Chief's objects are an appropriation of the North American and European cultural icons of the Vuitton and Hudson's Bay print, rather than simply the remembering of a dark past. In light of Vizenor's notion of survivance, this is it not a difficult argument to make. The hybridized objects are thus a powerful use of the temporal as they blur past and present in a manner that opens up to an anti-colonial future.

The temporal aspects of the installation as a whole do two major things. The first, was mentioned briefly above in relation to Miss Chief's movement through time. This implied movement suggests a simultaneous bringing of the past to the present and vice versa. This lack of distinction between past and present develops out of the ways in which the overall piece invites Monkman's viewers to question how the visual representations of the past that disappeared Indigeneity have been maintained into the present, influencing Canadian political, social and legal relations with Indigenous communities. Likewise, this brings the present to the past insofar as it alleviates the temporal padlock that continually works to keep the past and present separate by refraining from an altered retelling of the past from the stance of the present.²⁹⁴ That is to say, Miss Chief's trip back to the set of the nineteenth century Western silent film has the effect of using present cultural and social queer Indigenous attitudes to subvert history, and reveal alternative and divergent readings on an *disappeared* past.

²⁹⁴ Majowski, *supra* note 251 at 108. Again, this echoes the work of Simpson who contends that Indigenous narratives in the present can disrupt colonial representations of Indigeneity that are grounded on portraits of timelessness and function that disempower the Indigenous individual. This is insofar as these narratives shatter images of the 'timeless Indian' by enacting an Indigenous sovereignty. This is crucial as it destabilizes representations that sought to maintain an image of the Indigenous individual and culture as uncivilized, disappearing, and as inferior. My discussion of Monkman in relation to Simpson is further fleshed out in the following section.

This in turn corresponds to the second effect of Monkman's play with the temporal, which relates to Miss Chief's role as a storyteller. The continual shift between perspectives and storylines suggests Monkman's understanding of history and art as always open for re-evaluation and revisions.²⁹⁵ Presenting frames within frames, films within films, and exposing the tricks and bribery for the sake of "authenticity" furthermore communicates the importance of multiple and divergent perspectives on the apparent 'timeless' visual representations of Indigeneity and relations with colonizers. As for Monkman, "[...] even the seemingly fixed nature of history is always a process [...] in need of constant critical vigilance and reinterpretation".²⁹⁶ Bringing the present to the past in short, allows for a recurring destabilization of the historical representations that effect it. Ultimately, Monkman's art tempers with temporality to the point where linear time is rendered strange, and in doing so he bridges the ongoing relationship between the colonial past and the (neo)colonial present.²⁹⁷

Writing Interruption

Illustrating the ramifications Catlin's representations have in the present, Monkman demonstrates similar thinking to that of Simpson on ethnographical work. Simpson asserts that the ethnographical work that flourished during the exploration of North America's West and European settlement was dedicated to demarcating cultural difference. Simpson notes how

culture described difference that was found [...] and marked the ontological endgame of each exchange: a difference that had been contained into neat, ethnically defined territorial spaces that [...] need to be made sense of, ordered, ranked, governed, and possessed.²⁹⁸

²⁹⁵ *Ibid* at 104.

²⁹⁶ *Ibid*.

²⁹⁷ *Ibid* at 110. See also Madill, *supra* note 248 at 28.

²⁹⁸ Simpson, *supra* note 66 at 97.

Highlighting the relationship between nineteenth century ethnography and desires to control and possess, Simpson further shows how these ethnographies were a form of politics rather than mere representations.²⁹⁹ As a form of politics the narratives they told about the disappearing “Indian,” and harmony and unity, determined the political, social and legal relations between Canada and Indigenous communities. As Simpson explains, these representations “[... were] used, and [are] still used, to *claim*, to define capacities for self-rule, to apportion social and political possibilities, to, in effect, empower and disempower Indigenous people in the present”.³⁰⁰ With this in mind, I argue that Monkman’s art surfaces how the narratives told by nineteenth century representations depict notions of harmony, wholeness, and unity that underpin the myth of sovereignty at work in contemporary politics of reconciliation. In other words, where Stimson’s art exposes Canada as the working of an immanent community, Monkman’s art helps to reveal how this working can be read as a nostalgia for the mythic unified community of the past.

Monkman’s art furthermore interrupts this myth by giving presence to Indigeneity and exposing the conflict and opposition between Indigenous communities and the state. Again, this resonates with Simpson who explains that the ethnographic methods used for cultural surveillance and analysis of the colonial past stressed harmony and timelessness when there was utter opposition to and struggle against the state.³⁰¹ This can be similarly said about reconciliatory gestures insofar as they seek to present a unified community in order to suppress Indigenous opposition to the state. Returning to Simpson, she further argues that the focus on cultural analysis – and its tendency to fetishize purity and culture prior to settlement – work to disavow and push away its context of articulation. That is, representations that were produced in the name of cultural analysis had the

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid* at 100.

³⁰¹ *Ibid* at 97.

effect of concealing the political project of dispossession and containment.³⁰² This is insofar as these representations can be likened to what Rifkin refers to as settler literalizations that determine the structures of feeling that influence Indigenous-settler relations.³⁰³ Monkman's art similarly addresses obscured political projects by mimicking the approaches and representations provided by Catlin and nineteenth century Western filmmakers. His subversive role reversals and overall re-storying of how the representations were created, and the narratives they convey, speak of a presence of Indigeneity that fought against its colonizers. Not only does Monkman give Indigeneity presence, he does so by exposing how it was "disappeared". To this extent, Monkman's art can be regarded as an empowerment of Indigeneity as it seeks to restructure the Indigenous structures of feeling that were determined by settler representations of Indigenous being and culture.

Monkman's empowerment occurs by giving voice to the Indigenous narrative, which Simpson similarly stresses when speaking of Indigeneity and its representations in both the past and present. According to Simpson,

[...] 'voice' goes hand in hand with sovereignty [for]...[w]ithin Indigenous contexts, when the people we speak of speak for themselves, their sovereignty interrupts anthropological portraits of timelessness, procedure, and function that dominate representations of their past, and sometimes, their present.³⁰⁴

More importantly, for Simpson, Indigenous voices in story-telling have the power to interrupt because they are

[...] knowledge formations that not only 'correspond' to a reality and theorize it, and perform analysis for others to think with and to learn from; they also enact certain possibilities for the people they purport to represent, as well as for those who read and engage with these representations.³⁰⁵

³⁰² *Ibid* at 99.

³⁰³ Recall that by likening Simpson's argument about ethnographic representations to Rifkin's on settler literalizations, I am suggesting that the goal to disempower the Indigenous individual is similar to settler attempts to structure Indigenous experiences and sense of being.

³⁰⁴ *Ibid* at 97.

³⁰⁵ *Ibid* at 100.

Understandably, in order to interrupt those that are produced through colonial representations, ‘voice’ is critical to the (re)telling of Indigenous narratives. Voice is important insofar as it provides alternative perspectives to alter the ones that have been absent mindedly accepted or at least to question them. In the context of this project, what’s altered are visions of Canada as a unified harmonious community. Simpson, however is not advocating for an all-encompassing counter-narrative. That is, Simpson is interested in how past representations of Indigeneity look when it is taken into consideration that “[...] culture is disaggregate into a variety of narratives rather than one comprehensive official story”.³⁰⁶ In support of a variety of narratives, Simpson’s thinking is similar to that of Muñoz implied through his notion of disidentification and queer theory that promotes multiplicity and contradiction. Bringing together Simpson and Muñoz, ultimately reveals how Monkman’s work has parallels with both, as he advocates for a diversity in perspective.

The disruptive power of (re)telling or counter-narrative does not only derive from offering an alternative story that has been silenced, but also from the form they take. The (re)representations, for Simpson, should take the form of what she refers to as *ethnographic refusal*. Ethnographic refusal is about a sovereign articulation that’s based on what is chosen to be offered to the public and what one chooses to remain unknown. Simpson describes it as “[...] an argument that to think and write about sovereignty is to think very seriously about needs and that basically, it involves an ethnographic calculus of what you need to know and what I refuse to [tell]”.³⁰⁷ In short, ethnographic refusal consists of a sovereign choosing to present what needs to be known, but refusing to offer too much. As such, Miss Chief’s invisibility/visibility in *Boudoir de Berdashe*, and the cutting into and out of identities in *Taxonomy*, can be interpreted as an ethnographic refusal similar to that put forward by Simpson. Monkman participates in an ethnographic refusal insofar as Miss Chief’s play with

³⁰⁶ *Ibid* at 97.

³⁰⁷ *Ibid* at 105.

hybridity and her continual disappearance have the effect of offering enough of a presence to be provocative, but refusing to remain fixed long enough to allow others to *know* and *consume* her.

Miss Chief's refusal to let herself be categorized and contained, also relates to Simpson's ethnographic refusal insofar as the refusal is not about protecting some esoteric or sacred knowledge. The decision to speak of, or to present, some things and refuse others appertains to experiences in the past and present and "the deep context of dispossession, of containment, of a skewed authoritative axis and the ongoing structure of both settler colonialism and its disavowal".³⁰⁸ In other words, the refusal relates to the ways in which knowledges of Indigeneity have been used and consumed, how they have been appropriated and used for dispossession, how they are used to identify, contain and categorize, and how these actions and settler colonialism have actively been denied. As such, I suggest that refusal resonates with Warrior's conception of Indigenous sovereignty insofar as it similarly stresses the sovereign power Indigenous communities and individuals possess to make decisions that affect Indigenous lives. Ultimately, ethnographic refusal acknowledges the presence of the settler other and the potential necessity of turning away by way of refusing the colonial gaze. It is a disengagement right at the limit of provocation.

As a sovereign articulation, Monkman's art also works as Nancy's writing of interruption. Recalling earlier discussion, Nancy argues that writing, which extends to all creative practices, communicates being-in-common. That is, it reveals community not as some *thing* to be achieved, but rather as continual exposition to the other, a sharing of singular plurality. Nancy, relates *sharing* to the concept of articulation. For Nancy,

[...] articulation is only a juncture, or more exactly the play of the juncture: what takes place where different [singularities] touch each other without fusing together, when they slide, pivot, or tumble over one another, one at the limit of the other –

³⁰⁸ *Ibid.*

exactly at its limit – where these [singularities] [...] stiffen, flex, or tense themselves together and through on another [...]³⁰⁹

He furthermore explains community as the opening up of singularities in their articulations, and as the pulsing of their limits which, in short, is exposure to being-in-common.³¹⁰ In the end, I suggest that to consider Monkman's art as a sovereign articulation, is to interpret it in the Nancyean sense insofar as it is an articulation that is an exposition of limits that speaks to our being-in-common. These limits are felt and exposed through Miss Chief's provocation that ensues with her (in)visibility and refusal to be fully known. This provocation occurs at the limit where two beings – Monkman and his viewer, or the Indigenous individual and the settler – are exposed to their respective alterity in a fashion that reveals their being singular plural. Miss Chief's provocation therefore exposes an ontological truth that interrupts the conceptualization of the self as self-enclosed and autonomous.

Nancy's ontological truth draws out how being is always in common. As community, being-in-common is an assertion that a being or singularity only comes about through its exposition at the limit of another singular being. As Nancy writes, the singular being "appears [...] with the contact of the skin [...] another singular being, at the confines of the *same* singularity that is [...] always *other*, always, shared always exposed".³¹¹ Ultimately, an individual, as a singularity, does not come to be in of itself and thus is not self-enclosed. Rather, a singular being *is* only through its being exposed to an outside that is an other.³¹² Monkman's art can be viewed as demonstrating a similar understanding of being through the play of role reversal and hybridity. His role reversal and hybridity work in a manner that reveals the undeniable mutual influencing between Indigenous and European identity. With this mutual exposure, the Indigenous subject had/has an effect on the European settler

³⁰⁹ Nancy, *The Inoperative Community*, *supra* note 31 at 76.

³¹⁰ *Ibid* at 76-77.

³¹¹ *Ibid* at 28.

³¹² *Ibid* at 29.

just as the European settler had/has an effect on the Indigenous individual. In short, Monkman's art reveals how being and identity occur through contact with others. His art thus disrupts an understanding of the self as self-enclosed and autonomous subject, and furthermore presents an alternative understanding of being that refigures personhood as peoplehood. Monkman's art then can subsequently be thought of interrupting settler sovereignty and thus has the potential to make it uncertain.

Reconciliation's Nostalgia for the Past

Monkman's artwork creates a space in which Canada's reconciliatory framework can be situated within the long history of its colonial project. Monkman insists that "our present is informed by our histories [and] [that] we have to engage with [them] to understand why we are where we are now".³¹³ For this reason, though his art may not speak directly to the politics of reconciliation, the (re)figurations of narratives told through nineteenth century art illustrates how current reconciliatory approaches reflect past representations of Indigenous-settler relations. In demonstrating how the past has influenced contemporary political, social and legal relations, Monkman's art additionally interrupts Canada's current reconciliatory framework. This interruption occurs as Monkman's art shows how Canada's desire to return to a unified national political community is related to a nostalgia for a similar mythic community of the past. Monkman's art can also be considered an interruption insofar as it acts as a sovereign articulation that exposes being as being-in-common. Overall the criticisms offered through Monkman's artwork illustrates how queer Indigenous art can disrupt Canada's politics of reconciliation and can furthermore destabilize settler sovereignty.

³¹³ CBC, "8th Fire, Q&A: Kent Monkman" online: CBC <<http://www.cbc.ca/8thfire/2011/11/kent-monkman-1.html>> at 00h:07m:04s.

CONCLUSION: BEYOND JURIDICAL AND POLITICAL RECONCILIATION

After a five-year mandate Canada's Truth and Reconciliation Commission came to a close in early June 2015. During its closing events in Ottawa Justice Murray Sinclair provided the TRC Final Report, *Honouring the Truth, Reconciling for the Future*. The report documents the Commission's activities and presents its findings over its five-year mandate. It is approximately four hundred pages long and includes a detailed history of the Indian Residential School system, its development within an expansive colonial project and its lasting legacy. It offers an in-depth discussion of the challenges of reconciliation, framing it as an ongoing process in the continuing relationship between Indigenous communities and nations, and settler Canada. It ends with making numerous calls to action in order to address the necessary complex and various movements into the process of reconciliation.³¹⁴

The TRC's work is important and the Final Report is a significant benchmark in Canada's processes of reconciliation. I am hopeful that its calls to action will be taken seriously and that it will be recognized as one step in the many to come in creating fundamental and lasting change in Indigenous-settler relations in the Canadian context. Despite its positive potential, however, I am adamant that Canada's politics of reconciliation be reflected upon in light of its apparent nation-building framework that projects desires to return to a unified identity and national political community. It is in this capacity that I advocate for the possibilities that ensue when queer Indigenous artistic practices contribute to the dialogue on reconciliation.

Art is site through which significant contribution to legacies of colonialism can be made, attending to the limits of political and juridical responses put forward by the Canadian state. Political and juridical responses are at best symbolic and performative moves that enable the persistence of

³¹⁴ Canada, Truth and Reconciliation Commission of Canada, *Honouring the Truth*, *supra* note 38.

Canada's identity as an inclusive and therefore harmoniously unified national political community. These approaches maintain a narrative invested in closure and unity, placing settler colonial violence in the past. As a result, despite appearing as a successful response to residential school violence, these approaches further occlude overarching and ongoing structures of colonialism, and thus can be reconsidered as a violence in and of themselves.³¹⁵ In contrast, cultural approaches – like the arts – cannot be excluded from the overall discourse on reconciliation. Cultural approaches work as a site of intervention since they put forward alternative mediums to imagine the world otherwise and offer different “ways of seeing”.³¹⁶

Both the artwork of Adrian Stimson and Kent Monkman offer different ways of seeing through their installation and performance practices. Their modes of expression also provide different ways of knowing that speak to alternative ways of being. In doing so, the creative practices of each artist resemble those discussed by Rifkin. This is because both artists interrupt the politics of reconciliation by destabilizing Canada's identity as a benevolent state and exposing the myth of Canada's unified national political community. In this respect, both Stimson and Monkman disrupt settler structures of feeling that stem from settler figurations of a national political community that in effect determine Indigenous and non-Indigenous identity, and Indigenous-settler relations. Ultimately, by interrupting Canada's politics of reconciliation, Stimson and Monkman restructure settler structures of feeling and create a space in which contemporary Indigenous-settler relations can be reconsidered along with alternative conceptualizations of being in the world. Their artwork furthermore demonstrates

³¹⁵ Henderson and Wakeham, “Colonial Reckoning”, *supra* note 15 at 13-14. See also Allison Hargreaves and David Jefferess, “Always Beginning: Imagining Reconciliation Beyond Inclusion or Loss” in Gabrielle L’Hirondelle Hill and Sophie McCall eds, *The Land We Are: Writers and Artists Unsettle the Politics of Reconciliation* (Winnipeg: Arbeiter Ring Publishing, 2015) 200 at 200.

³¹⁶ Henderson and Wakeham, “Colonial Reckoning”, *supra* note 15 at 15.

Simpson's sovereign articulation that interrupts settler narratives of Indigeneity by reclaiming the power to speak of Indigeneity through Indigenous voices and visual language.

The art pieces discussed above also reflect Nancy's work on community. Unveiling Canada's reconciliatory practices as working towards the construction of a shared identity and unified society, Stimson and Monkman's artwork expose Canada's narrative of immanence. Its immanent nature is made evident as Canada's reconciliatory framework can be rethought as maintaining its settler colonial violence and disappearing Indigeneity. As artistic forms of a sovereign articulation, Stimson and Monkman's art can also be interpreted as using Nancy's writing of interruption. Through their artistic practices both Stimson and Monkman *share* Indigenous being at the limit where being-in-common is exposed. Monkman's art further reveals Nancy's being-in-common in its content. Being-in-common is revealed through the exploration of the mutual influencing on the sense of self between both Indigenous and settler individuals. To a certain degree Stimson's art has a similar effect. However, his artwork only reveals how his experience and contact with the settler state has had an effect of his being as an Indigenous individual of survivance. This explains my turning to the work of Monkman, as his art further addresses the reverse by pointing to the potential impact Indigeneity had on settler identity.

Reflecting on the artwork of Stimson and Monkman together, and in relation to the work of figures like Rifkin, Simpson, Smith and Nancy, I contend that they provide examples of the potential role of queer Indigenous art in the dialogue on reconciliation. I argue that they surface the colonial framework of Canada's current approach to reconciliation and furthermore destabilize settler sovereignty. In this regard, my analysis of the pieces discussed above supports the overarching argument for queer Indigenous art as a site for reflection on reconciliation. This is because together Stimson and Monkman, along with the scholars emphasized, illustrate how queer Indigenous art interrupts the politics of reconciliation that find their basis in a desire for wholeness and furthermore

interrupt the myth of the sovereign subject. Additionally, bringing each scholar in conversation with one another, through an analysis of the artistic pieces, shows the critical importance of diversity and multiplicity in narratives of reconciliation and decolonization. Each scholar presents differing conceptualizations of identity, being, sovereignty, and also offer different perspectives on the significance of narrative and the arts. Drawing parallels between their different perspectives, and their strengths and weaknesses, demonstrates the significance of creating alliances between different modes of thinking as we move forward with efforts of reconciliation.

While I view the potential art has in the dialogue on reconciliation, I am aware of my position as spectator. I do not have a fine arts education and am not trained as a critic. I write about the arts as someone who is eager to explore alternative ways of seeing and knowing. My discussion above is therefore not intended to place one artist above the other, or to hierarchize each piece in their critical potential. Nor do I think it's fair to do so. The criticisms each artist or piece has to offer is contingent on their context of presentation. I offer my performance of each piece as someone who is interested in themes of inclusion and exclusion in relation to identity and community, but recognize that my interpretation is by no means absolute. The messages of each piece can radically shift depending on its varied spectators, and their own interests and backgrounds. It can also shift depending on levels of engagement. I have been thinking about these pieces for a long time, and the meaning I give to each of them would undoubtedly differ from someone who engages with them in passing in a gallery. This also raises questions about the intended target audience. What are the benefits of a specific audience - be it Indigenous or non-Indigenous – if there is one? What about issues of access? How might these strengthen or weaken the critical nature of each piece? These are just a few examples of additional questions that are worthy of consideration in future projects that discuss the potential of the arts in practices of reconciliation.

Regarding the specific two artists above, and their respective pieces, I have two additional questions. The first asks: what effects ensue through the use of humour in the context of Indigenous-settler relations? Both Stimson and Monkman play with parody and humour in a way that helps in their exposition of past and present settler colonial violence. The two artists thus use humour in a radically subversive way. Particularly noteworthy of its use is how it simultaneously has the effect of making their art lighthearted but also somewhat violent. I do not flesh out the significance of the use of humour in Indigenous creative politics in this project, although considering its presence in the pieces discussed it evidently has a critical potency. I therefore question its potential role as a tool for destabilization that makes the certain uncertain. The double nature of humour as both lighthearted and violent presents my second question. To what extent can artistic forms be violent and what possibilities would ensue from such a violence? I ask this question in light of Stimson's belief in the arts as a gentler place to address difficult and painful issues. Would this mean that the arts have less potency as a space for critical reflection? I also ask the above question in consideration of Simpson's work on sovereign articulation via a (re)telling of Indigenous narratives through the Indigenous voice. She suggests that no situation is "'innocent' of a violence of form, if not content, in narrating a history or present for ourselves".³¹⁷ (Re)telling narratives of Indigenous-settler relations through visual mediums, I question whether the artwork discussed throughout this project can be reconsidered as a symbolic violence? This opens up further questions and discourses on violence as decolonization, and its possible role in Indigenous approaches to reconciliation.

Additional opportunities for further reflection pertain to hybrid identity and Nancy's community in relation to assertions of reconciliation as an ongoing process. I want to affirm that my conceptualization of hybridization is not one that disappears identity but rather embraces the possible

³¹⁷ Simpson, *supra* note 66 at 99.

and multiple ways that people may identify, and how these identities may contradict and conflict with one another. This embrace can be rethought as transparency and recognition of the ways in which our identities develop and shift in our encounters with others. This is not to say that others grant a subject's identity, but that these encounters are ones of articulation where subject's being is *shared* with, in and through, and against the other. In this sense, I am suggesting a potential resemblance between queer hybridity and what Nancy's refers to as being singular plural. What's more is how conceiving of queer hybridity in this manner thus reveals the ontological truth of our being-in-common.

I also suggest that Nancy's conceptualization of community as *happening* can be extended to Indigenous-settler relations and understanding reconciliation as an ongoing process between two separate, singular bodies. To frame reconciliation as a nation-building project that seeks closure for the sake of a unified national political community would suppress community hindering the shared exposition between two alterities (Indigenous and settler) and thus their *being*. Ultimately, I maintain the significance of reframing reconciliation as an ongoing process, insofar as it allows for a being-in-common in which Indigenous peoples and settler Canada encounter and engage with another as singularities in a manner that embraces their *being* only through and against one another. Saying this however, I recognize that the disappearing of identity implied by Nancy's being-in-common is problematic when addressing legacies of colonialism and racism. Insisting on the maintenance of identity, I question the possibility for a re-thinking of being-in-common that resembles Warrior's understanding of Indigenous being. That is, I advocate for a conceptualization of being that acknowledges and embraces relationality, but does so in manner that recognizes the capacity to determine in what ways this relationality affects the sense of self. In this regard, I question what may follow when reconciliation is thought of as an ongoing process of relationship building that recognizes relationality. More importantly, I question how reconciliatory frameworks may alter when relationality

is realized as an opportunity of sovereign articulation that maintains Indigeneity not as a fixed identity, but as being always in motion.

Despite the remaining questions to be explored and additional ones to be asked, I maintain that queer Indigenous art can further support critical discussion on Indigenous-settler relations. Moreover, drawing connections between the work of Nancy and Indigenous scholarship, I advocate for the importance of alliances between seemingly divergent thinking and in this sense put forward the significance of queer Indigenous studies in the work of decolonization. I also recognize that queer Indigenous art alone cannot work as site of reconciliation. As a continuing relationship, reconciliation is complex and requires diverse approaches. Nevertheless, as sites of critical reflection and a space through which to imagine the world otherwise, queer Indigenous art does have an important role in the decolonizing efforts of reconciliation. However, I do not suggest that the arts can take the place of juridical and political approaches entirely. Rather, I am advocating for possibilities that ensue when cultural approaches to reconciliation are equally as valued, and the limits of the juridical and political are realized. That said, queer Indigenous art does make significant contributions to the ongoing process of reconciliation and decolonization, and I look forward to continuing my exploration of the possibilities it presents.

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